

S 1614

Higher Education Amendments of 2005

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Education

Introduced: Sep 6, 2005

Current Status: By Senator Enzi from Committee on Health, Education, Labor, and Pensions filed written report. Report

Latest Action: By Senator Enzi from Committee on Health, Education, Labor, and Pensions filed written report. Report No. 109-218. (Feb 28, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/1614>

Sponsor

Name: Sen. Enzi, Michael B. [R-WY]

Party: Republican • State: WY • Chamber: Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Kennedy, Edward M. [D-MA]	D · MA		Sep 6, 2005

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Reported By	Nov 17, 2005

Subjects & Policy Tags

Policy Area:

Education

Related Bills

Bill	Relationship	Last Action
109 HR 609	Related bill	Apr 4, 2006: Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 388.
109 HR 507	Related bill	Mar 24, 2005: Referred to the Subcommittee on 21st Century Competitiveness.

Higher Education Amendments of 2005 - Amends the Higher Education Act of 1965 (HEA) to revise HEA programs and to extend the authorization of appropriations for them through FY2011.

Title I: General Provisions - (Sec. 102) Revises the general definition of institution of higher education (IHE).

(Sec. 103) Revises the definition of IHE, for purposes of title IV student assistance programs. Allows certain IHEs that provide distance education to be granted waivers with respect to the 50% rule (which is a restriction on distance education in terms of relative number of courses an institution may offer by telecommunications, and relative number of students enrolled in such courses).

(Sec. 104) Elaborates on the current sense of Congress regarding the speech and association rights of students in higher education, to specify that such students should not be intimidated, harassed, discouraged from speaking out, or discriminated against.

(Sec. 105) Reauthorizes the National Advisory Committee on Institutional Quality and Integrity until the end of FY2011.

(Sec. 106) Revises the alcohol and drug abuse prevention grant program to authorize the Secretary of Education to make grants to states, IHEs, and nonprofit entities to reduce the rate of drug use, underage alcohol use, and binge drinking among students at IHEs. Eliminates a related program of national recognition awards.

(Sec. 107) Extends an authorization of appropriations to continue coverage of prior rights and obligations for servicing outstanding bonds from certain earlier programs under HEA title VII before it was amended by the Higher Education Amendments of 1992 and the Higher Education Amendments of 1998.

(Sec. 108) Revises requirements for higher education consumer information. Directs the Secretary to make information on college costs and an expanded range of related matters available in a form that enables the public to compare it among institutions of higher education. Requires the Bureau of Labor Statistics to develop a higher education cost index that tracks inflation changes.

(Sec. 109) Revises requirements for: (1) the performance-based organization organization for delivery of federal student financial assistance; and (2) procurement flexibility.

Title II: Teacher Quality Enhancement - (Sec. 201) Revises and reauthorizes title II part A, Teacher Quality Enhancement Grants for States and Partnerships.

Requires the use of such grants for: (1) coordinating with specified state activities for preparing and retaining highly qualified teachers under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001, and the Individuals with Disabilities Education Act (IDEA); and (2) ensuring that current and prospective teachers are highly qualified, as defined under ESEA and IDEA.

Revises part A requirements for: (1) the state grant program; (2) the partnership grant program; (3) administration; and (4) accountability for programs that prepare teachers.

Reauthorizes appropriations for FY2006-FY2011 for title II part A state grant and partnership grant programs.

Title III: Institutional Aid - Revises and reauthorizes HEA title III, Institutional Aid programs.

(Sec. 303) Establishes a formula grant program, including a minimum grant amount, for American Indian tribally controlled colleges and universities (replacing the current competitive grant program). Authorizes the use of grant funds for: (1) acquiring adjacent property on which to construct instructional facilities; (2) education or counseling services designed to improve the financial literacy and economic literacy of students or parents of students; and (3) developing and improving facilities for Internet and other distance learning academic instruction capabilities.

(Sec. 304) Revises requirements for grants to Alaska Native and Native Hawaiian-serving institutions. Authorizes the use of grant funds for education or counseling services designed to improve the financial literacy and economic literacy of students or parents of students.

(Sec. 305) Establishes a grant program for Native American-serving, non-tribal institutions. Directs the Secretary to provide grants and related assistance to such institutions to improve and expand their capacity to serve Native Americans.

(Sec. 306) Revises the title III part B program of grants to Historically Black Colleges and Universities to direct the Commissioner of the Bureau of Labor Statistics and the Secretary to consult with the Commissioner for Education Statistics in determining professional and academic areas in which blacks are underrepresented.

(Sec. 307) Includes among authorized uses of part B funds education or counseling services designed to improve the financial literacy and economic literacy of students or parents of students.

(Sec. 308) Requires part B institutions to provide annual data on specified matters in order to be eligible for part B allotments.

(Sec. 309) Adds to the list of eligible part B graduate and professional institutions.

(Sec. 310) Reauthorizes appropriations for FY2006-FY2011 for title III programs.

Title IV: Student Assistance - Revises and reauthorizes HEA title IV, Student Assistance programs.

Part A: Grants to Students in Attendance at Institutions of Higher Education - (Sec. 401) Reauthorizes the Pell Grant program through FY2012.

Reduces the maximum Pell Grant award from \$5,800 for academic year 2003-2004 to \$5,100 for academic year 2006-2007 (same as the maximum for academic year 2001-2002); then increases it, by annual increments, up to \$6,300 for academic year 2010-2011.

Sets the minimum Pell Grant (currently \$400) at 10% of the maximum grant for that academic year, with certain exceptions.

Eliminates a tuition sensitivity requirement which currently prohibits maximum awards to students attending low-cost institutions even if their income is low enough to otherwise qualify.

Provides for the awarding an additional Pell Grant during a single award year to certain students who attend year-round to accelerate their progress toward a degree.

Limits the period of a student's receiving Pell Grants to 18 semesters or an equivalent period determined by the Secretary.

(Sec. 402) Reauthorizes appropriations for FY2006-FY2011 for TRIO programs.

Extends the duration of TRIO grants to five years.

Directs the Secretary to establish outcome criteria for such programs.

Authorizes the use of funds in all TRIO programs for education and counseling services to improve the financial and economic literacy of students and families assisted by TRIO. Revises required activities and permissible activities under all TRIO programs.

(Sec. 403) Reauthorizes appropriations for FY2006-FY2011 for Gaining Early Awareness and Readiness for Undergraduate Programs (GEARUP).

Allows services to students to continue into the first year of higher education.

Authorizes the use of funds for education and counseling services to improve financial and economic literacy of students and families who are assisted by GEAR UP. Revises required activities and permissible activities under GEARUP.

Requires eligible entities, if they do not use a cohort approach in providing GEARUP services, to treat certain types of low-income students and homeless students as priority students for participation in GEAR UP.

Requires a certain portion of GEARUP funds to be used for a scholarship component.

Repeals authority for 21st Century Scholar Certificates.

(Sec. 404) Repeals authority for academic achievement incentive scholarships.

(Sec. 405) Reauthorizes appropriations for FY2006-FY2011 for federal Supplemental Educational Opportunity Grants (SEOG). Increases the allowance for books and supplies in determining cost of attendance under SEOG (and the other two campus-based aid programs).

(Sec. 406) Reauthorizes appropriations for FY2006-FY2011 for the Leveraging Educational Assistance Partnership Program (LEAP). Sets forth program requirements, including need-based grants to eligible low-income students for access to and persistence in higher education for access.

(Sec. 407) Reauthorizes appropriations for FY2006-FY2011 for special programs for students whose families are engaged in migrant and seasonal farmwork (the High School Equivalency program and the College Assistance Migrant Program, HEP/CAMP). Revises activities under such programs.

(Sec. 408) Reauthorizes appropriations for FY2006-FY2011 for the Robert C. Byrd Honors Scholarship Program. Provides for eligibility of students who have been home-schooled.

(Sec. 409) Reauthorizes appropriations for FY2006-FY2011 for the Child Care Access Means Parents in School program. Increases the minimum grant amount in any fiscal year when appropriations reach a specified amount.

(Sec. 410) Repeals the Learning Anytime Anywhere Partnerships program.

Part B: Federal Family Education Loan Program - (Sec. 421) Reauthorizes for FY2006-FY2011 the Federal Family Education Loan (FFEL) program. Extends authority for federal insurance on student loans, and for the guaranteed loan and consolidated loan programs.

(Sec. 422) Revises requirements for federal payments to reduce student interest costs to add a requirement that the lender or guaranty agency verify a student's enrollment in cases of study abroad.

(Sec. 423) Requires lenders to disclose to borrowers certain effects of including Perkins loans in consolidation loans.

(Sec. 424) Requires default reduction programs to make available financial and economic education materials for borrowers.

(Sec. 426) Revises requirements for reports to credit bureaus and institutions of higher education.

(Sec. 427) Allows IHEs to use a master promissory note for student loans.

(Sec. 428) Sets forth privacy requirements for student loan information about borrowers. Requires lenders, holders, or servicers of loans to provide borrowers with information on loan benefit repayment options.

(Sec. 429) Requires participating guaranty agencies and IHEs to provide students with consumer education information on budgeting and financial management.

(Sec. 430) Requires eligible lenders to use, for paying need-based grants and direct administrative expenses, proceeds from sales of loans and other related proceeds (as well as, currently, proceeds from special allowance payments and interest payments from borrowers).

Part C: Federal Work-Study Programs - (Sec. 441) Reauthorizes appropriations for FY2006-FY2011 for Work-Study (WS) programs.

(Sec. 442) Increases the allowance for books and supplies in determining cost of attendance, under WS (and the other two campus-based aid programs).

(Sec. 443) Revises conditions for grants for WS programs.

(Sec. 444) Increases the amount of its WS allocation which an IHE may use for job location and development.

(Sec. 445) Includes among authorized uses of WS funds support for model student volunteer community service projects associated with local IHEs.

Part D: William D. Ford Federal Direct Loan Program - (Sec. 451) Reauthorizes appropriations for FY2006-FY2011 for: (1) administrative costs under the part B FFEL program and this part D William D. Ford Federal Direct Loan (DL) program, including costs of part D DL programs; and (2) account maintenance fees payable to guaranty agencies under the part B FFEL program. Sets maximum limits on amounts which may be used for such account maintenance fees.

Part E: Federal Perkins Loans - (Sec. 461) Reauthorizes certain appropriations for FY2006-FY2011 under the Perkins loans program.

(Sec. 462) Makes students who are in default on Perkins loans ineligible for additional aid under HEA title IV. (Currently they are only ineligible for an additional Perkins loan).

(Sec. 463) Revises requirements for cancellation of loans for certain public service to include service: (1) in a prekindergarten or child care program; (2) as a full-time faculty member at a Tribal College or University; (3) as a librarian with a master's degree working in an elementary school eligible for assistance under title I of the Elementary and

Secondary Education Act (ESEA-I eligible) or in a public library serving an area containing an ESEA-I eligible school; and (4) as a full-time speech language therapist with a master's degree working exclusively with ESEA-I eligible schools.

(Sec. 464) Extends deadlines for federal capital contribution recovery.

Part F: Need Analysis - (Sec. 471) Revises cost of attendance requirements for less than half-time students with respect to room and board costs. Allows an IHE to opt to include in the cost of attendance for a student in a program requiring professional licensure or certification, the one-time cost of obtaining the first professional credentials.

(Sec. 472) Revises matters which may come under the discretion of student financial aid administrators.

(Sec. 473) Revises need analysis definitions relating to valuation of a qualified education benefit (a qualified tuition program and a Coverdell education savings account under the Internal Revenue Code).

Allows certain assistance to be excluded from both estimated financial assistance and cost of attendance, if such assistance is not received under title IV and is designated by a state to offset a specific component of the cost of attendance.

Part G: General Provisions Relating to Student Assistance - (Sec. 481) Includes as an eligible program an instructional program that uses direct assessment of student learning or recognizes such an assessment by others in place of credit hours or clock hours as the measure of student learning. Requires such eligibility determination to be made by the Secretary for institutions being deemed eligible for the first time.

(Sec. 482) Directs the Secretary to provide to IHEs prior to each award year a compliance calendar listing all reports and disclosures required under HEA, including specified information.

(Sec. 483) Directs the Secretary to develop and use a simplified paper application form of the Free Application for Federal Student Aid (FAFSA), to be called the EZ FAFSA, for students who meet the requirements of the automatic zero expected family contribution. Requires the Secretary to: (1) phase-out the paper form (the long form or full FAFSA) for students who do not meet the requirements for an EZ FAFSA; and (2) produce, distribute, and process common forms in electronic format, including a simplified electronic application form on the Internet.

(Sec. 484) Revises requirements for student eligibility for title IV assistance.

Requires the IHE to determine, for each student who is not a high school graduate, that the student has the ability to benefit from the education or training it offers, upon satisfactory completion of six credit hours or the equivalent coursework applicable to a degree or certificate it offers.

Redefines as distance education, eligible for title IV purposes, "courses offered through telecommunications" which are not considered correspondence courses. Eliminates the current requirements that a course offered through telecommunications: (1) be part of a program of study of one year or longer; and (2) less than 50% of an institution's courses involve telecommunications or correspondence courses. Excludes from such distance education definition institutions described under the Carl D. Perkins Vocational and Technical Education Act of 1998.

Specifies that a conviction for a drug-related offense affects a student's title IV eligibility only if it occurs during the period when the student is enrolled and receiving title IV student aid.

(Sec. 485) Revises requirements relating to statute of limitations and state court judgments. Provides that a borrower

may not raise a defense based on infancy against an IHE collecting an obligation under the part E. Provides that, if a student is deceased, the student's estate or family's estate are not required to repay any title IV assistance or related costs.

(Sec. 486) Revises requirements for institutional refunds to set a deadline for IHEs to return certain amounts of title IV funds and to notify students of requirements regarding overpayments and of eligibility for post-withdrawal disbursements.

(Sec. 487) Revises requirements for institutional and financial assistance for students, and for a national student loan data system.

(Sec. 489) Directs the Secretary to implement a program for early awareness of student financial aid eligibility.

(Sec. 490) Establishes a college access initiative. Directs the Secretary to require each guaranty agency to gather information on programs and student aid available in the state in which it is designated. Requires such information to be made available for free to the public, particularly to traditionally underrepresented populations, via web sites, publications, and other state services.

(Sec. 491) Revises requirements for title IV program participation agreements.

(Sec. 492) Directs the Secretary to report biennially to the appropriate congressional authorizing committees on regulatory relief and improvement.

(Sec. 493) Revises provisions allowing an IHE to transfer portions of certain allotments.

(Sec. 494) Increases from 10% to 15% the maximum portion of disposable wages which may be deducted for any pay period in a wage garnishment to collect title IV assistance owed by an individual (except that a greater percentage may be deducted with the written consent of the individual involved).

(Sec. 496) Directs the Advisory Committee on Student Financial Assistance to: (1) review and analyze regulations; and (2) study innovative pathways to baccalaureate degree attainment.

(Sec. 497) Includes state student grant agencies in certain regional meetings.

Part H: Program Integrity - (Sec. 499) Revises requirements for recognition of an accrediting agency or association.

Requires accreditors, where applicable, to demonstrate that their standards effectively address an IHE's distance education programs; but does not require separate distance education standards.

Requires an accreditor, in its accrediting or reaccrediting review, to confirm that an IHE has publicly disclosed transfer policies that do not deny transfer of credit based solely on the accreditation of the sending institution as long as its accrediting association or agency is recognized by the Secretary. (Thus no longer allows IHEs to deny credit transfers on such basis.)

(Sec. 499A) Provides for special treatment of teach-outs at additional locations of IHEs.

(Sec. 499B) Sets forth additional requirements for accreditors regarding program review and data.

Title V: Developing Institutions - Revises and reauthorizes HEA requirements for Hispanic-serving institutions (HSIs) under title V (Developing Institutions).

(Sec. 501) Requires an eligible HSI to have an enrollment of undergraduate full-time students at least 25% Hispanic at the end of the award year immediately preceding the date of application.

(Sec. 502) Includes among authorized uses of funds: (1) innovative, customized remedial education and English language instruction courses; (2) education or counseling services designed to improve financial and economic literacy of students and parents; and (3) articulation agreements and student support programs designed to facilitate the transfer from two-year to four-year institutions.

(Sec. 503) Eliminates the two-year wait-out period between any two five-year part A grants to an HSI.

(Sec. 504) Establishes a program of competitive grants to eligible HSIs that offer postbaccalaureate certifications or degrees (part B grants). Limits a part B grant award's duration to not more than five years. Prohibits the Secretary of Education from awarding more than one part B grant to an HSI in any one fiscal year.

(Sec. 507) Reauthorizes appropriations for FY2006-FY2011 for the part A program of grants to HSIs that offer baccalaureate degrees or are junior or community colleges.

Authorizes appropriations for FY2006-FY2011 for the new part B program of grants to HSIs that offer postbaccalaureate certifications or degrees.

Title VI: International Education Programs - Revises and reauthorizes International Education Programs (title VI).

(Sec. 601) Directs the Secretary to: (1) consult with officials of specified federal agencies on the national need for expertise in foreign languages and world regions prior to requesting applications for title VI funding during each grant cycle; and (2) assist grantees in developing a survey on placement of students after their participation in title VI programs.

(Sec. 602) Revises requirements for graduate and undergraduate language and area centers and programs. Includes among authorized activities supporting instructors of the less commonly taught languages.

(Sec. 603) Revises requirements for undergraduate international studies and foreign language programs. Includes among authorized activities providing subgrants to undergraduate students for educational programs abroad that are closely linked to the program's overall goals and that promote foreign language fluency and knowledge of foreign cultures.

(Sec. 604) Includes, among authorized research and study activities, systematic collection, analysis, and dissemination of data.

(Sec. 605) Revises provisions for technological innovation and cooperation for foreign information access to authorize grants to certain partnerships with not-for-profit educational organizations and other specified entities.

(Sec. 606) Revises requirements relating to selection of certain grant recipients, and for American overseas research centers.

(Sec. 608) Reauthorizes appropriations for FY2006-FY2011 for international and foreign language studies (title VI, part A).

(Sec. 609) Revises provisions for centers for international business education and for education and training programs to require assurances that grant-funded activities will reflect diverse perspectives and a wide range of views and generate

debate on world regions and international affairs, where applicable.

(Sec. 611) Reauthorizes appropriations for FY2006-FY2011 for business and international education programs (title VI part B), including centers for international business education and education and training programs.

(Sec. 612) Revises the minority foreign service professional development program of the Institute for International Public Policy (IIPP) to require assurances that grant-funded activities will reflect diverse perspectives and a wide range of views on world regions and international affairs, where applicable. Authorizes the Secretary to waive a matching funds requirement for eligible recipients of such grants.

(Sec. 613) Revises the IIPP institutional development, study abroad, advanced degree in international relations, and internships programs.

(Sec. 617) Authorizes IIPP to provide financial assistance, through summer stipends and Ralph Bunche scholarships, to needy students to facilitate their participation in IIPP programs.

(Sec. 618) Changes to biennial the current annual IIPP report.

(Sec. 620) Reauthorizes appropriations for FY2006-FY2011 for IIPP and its title VI part C programs.

(Sec. 622) Sets forth title VI authority for assessment and enforcement, including evaluation, outreach, and information activities.

Title VII: Graduate and Postsecondary Improvement Programs - Revises and reauthorizes title VII requirements for Graduate and Postsecondary Improvement Programs.

(Sec. 702) Directs the Secretary, appointing members of the Jacob K. Javits Fellows Program Fellowship Board, to include representatives of various U.S. geographic regions and representatives from minority institutions.

(Sec. 704) Reauthorizes appropriations for FY2006-FY2011 for the Jacob K. Javits Fellowship Program.

(Sec. 705) Revises requirements for institutional eligibility under the Graduate Assistance in Areas of National Need Program.

(Sec. 707) Reauthorizes additional assistance for cost of education.

(Sec. 708) Reauthorizes appropriations for FY2006-FY2011 for the Graduate Assistance in Areas of National Need Program and the Thurgood Marshall Legal Educational Opportunity Program.

(Sec. 710) Includes additional authorized activities under the Secretary's Fund for the Improvement of Postsecondary Education.

(Sec. 711) Revises special projects to include specified areas of national need.

(Sec. 712) Reauthorizes appropriations for FY2006-FY2011 for the Secretary's Fund for the Improvement of Postsecondary Education.

(Sec. 713) Eliminates the Urban Community Service program (part C of title VII of HEA).

(Sec. 714) Revises requirements for grants for demonstration projects to ensure students with disabilities receive a

quality higher education.

(Sec. 716) Reauthorizes appropriations for FY2006-FY2011 for demonstration projects to ensure students with disabilities receive a quality higher education.

Title VIII: Miscellaneous - (Sec. 801) Establishes grant or contract programs relating to: (1) mathematics and science scholars; (2) postsecondary education assessment; (3) job skill training in high-growth occupations or industries; (4) student retention and articulation agreements; (5) knowledge of American history, free institutions, and Western civilization; (6) Teach for America, the national teacher corps; (7) Patsy T. Mink graduate fellowships; and (8) college enrollment rates of secondary schools.

Title IX: Amendments to Other Laws - Part A: Education of the Deaf Act of 1986 - (Sec. 901) Amends the Education of the Deaf Act of 1986 (EDA) to identify the Laurent Clerc National Deaf Education Center as the place where Gallaudet University's EDA elementary and secondary programs are to be held. Requires Gallaudet to develop, for such elementary and secondary programs, academic assessments and standards for academic content, achievement, and adequate yearly progress in keeping with specified requirements of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001 (ESEA).

(Sec. 903) Identifies the Rochester Institute of Technology (RIT) as the IHE with which the Secretary has an agreement to operate and maintain the National Technical Institute for the Deaf (NTID). Directs the Secretary to consider proposals from other IHEs if the Secretary or RIT terminates such agreement.

(Sec. 904) Establishes a HEA title IX part C program of cultural experiences grants to and contracts with nonprofit organizations for activities to: (1) enrich the lives of deaf and hard-of-hearing children and adults; (2) increase public awareness and understanding of deafness and of the artistic and intellectual achievements of deaf and hard-of-hearing persons; or (3) promote the integration of hearing, deaf, and hard-of-hearing persons through shared cultural, educational, and social experiences.

(Sec. 905) Requires an annual audit of NTID programs and activities.

(Sec. 907) Reauthorizes appropriations for FY2006-FY2010 for monitoring, evaluation, and reporting under EDA.

(Sec. 909) Reauthorizes appropriations for FY2006-FY2010 for federal endowment programs for Gallaudet University and NTID under EDA.

(Sec. 911) Revises EDA provisions relating to international students with respect to distance learning courses at Gallaudet University and NTID.

(Sec. 913) Reauthorizes appropriations under EDA for FY2006-FY2011 for: (1) Gallaudet University; (2) Kendall Demonstration Elementary School; (3) the Model Secondary School for the Deaf; and (4) NTID.

Part B: United States Institute of Peace Act - (Sec. 921) Amends the United States Institute of Peace Act to require any authorization of appropriations for U.S. Institute of Peace programs to be extended in the same manner as applicable programs are extended under specified provisions of the General Education Provisions Act.

Part C: The Higher Education Amendments of 1998 - (Sec. 931) Repeals specified provisions under title VIII (Studies, Reports, and Related Programs) of the Higher Education Amendments of 1998.

(Sec. 932) Revises requirements of the Higher Education Amendments of 1998 relating to grants to states for workplace and community transition training for incarcerated youth offenders.

Part D: Indian Education - Subpart 1: Tribal Colleges and Universities - Reauthorizes appropriations for various programs under the Tribally Controlled College or University Assistance Act of 1978.

Subpart 2: Navajo Higher Education - Navajo Nation Higher Education Act of 2005 - Reauthorizes appropriations for the Navajo Community College Act.

Title X: Reconciliation - Part A: Education Provisions - (Sec. 1001) Establishes a provisional grant assistance program (ProGAP) for students most in need of assistance.

Authorizes appropriations for FY2006-FY2010 for ProGap and for national SMART grants under the following section. Expresses the sense of the Senate that amounts appropriated for these programs are the result of savings generated by the amendments made by this part.

(Sec. 1002) Establishes a program for national science and mathematics access to retain talent (SMART) grants for third and fourth year students of mathematics, science, technology, engineering, or critical foreign languages.

(Sec. 1003) Increases loan limits under specified student loan programs.

(Sec. 1004) Increase PLUS loan interest rates.

Establishes a special allowance support level to be used in a formula for calculating excess interest to be recaptured by the Treasury.

(Sec. 1005) Reduces lender insurance reimbursement rates.

(Sec. 1006) Increases the amount of each lender origination fee collected from guaranty agencies by the federal government for new consolidation loans.

(Sec. 1007) Provides for student loan deferments of up to three years for individuals serving on active duty or performing National Guard duty during a war or other military operation or emergency.

(Sec. 1008) Revises provisions for recovery through consolidation to require guaranty agencies to: (1) not charge borrower collection costs in excess of a specified rate; and (2) remit to the Secretary a certain portion of the collection charge as well as the entire amount of any excess collection charge.

(Sec. 1009) Eliminates certain single holder rule provisions for consolidation loans.

(Sec. 1010) Revises default reduction program requirements to reduce from 12 to 9 the number of consecutive monthly payments required for borrower rehabilitation out of default. Allows guaranty agencies to continue to charge up to a specified amount of collection costs on rehabilitated loans.

(Sec. 1012) Repeals certain special insurance and reinsurance rules.

(Sec. 1013) Establishes a school-as-lender moratorium, prohibiting IHES that have not made certain student loans on or before August 31, 2005, from becoming lenders.

(Sec. 1014) Continues certain limitations on special allowance payments, under HEA as amended by the Taxpayer-

Teacher Protection Act of 2004, by eliminating specified termination dates under such Act.

(Sec. 1015) Revises requirements for special allowances to reduce loan origination fees which may be collected from student borrowers.

(Sec. 1016) Revises origination fee requirements to reduce loan origination fees paid by student borrowers.

(Sec. 1017) Provides student loan forgiveness after certain public sector employees have made 120 payments under an income contingent repayment plan.

(Sec. 1018) Revises the family contribution for dependent students, independent students without dependents other than a spouse, and independent students with dependents other than a spouse.

(Sec. 1021) Directs the Secretary to update tables of income protection allowances for need analysis purposes.

(Sec. 1022) Revises guidelines for determining a student's eligibility for the simplified needs test and the automatic-zero expected family contribution.

(Sec. 1023) Continues authorization under HEA, as amended by the Taxpayer-Teacher Protection Act of 2004, of an increased maximum amount, and new borrower eligibility, for HEA's loan forgiveness program for school teachers who teach certain subjects in high-poverty schools, by eliminating specified termination dates under such Act.

(Sec. 1024) Declares that the amendments made by this part shall take effect on July 1, 2006.

Part B: Hurricane Katrina Higher Education Recovery - Hurricane Katrina Higher Education Recovery Act - (Sec. 1053) Requires the Secretary to grant certain waivers and modifications of specified HEA requirements with respect to certain students and institutions affected by Hurricane Katrina. Authorizes the Secretary to waive or modify other specified HEA provisions in the case of such affected students or institutions.

(Sec. 1054) Authorizes the Secretary to waive or modify HEA requirements and regulations in connection with a major disaster owing to the effects of Hurricane Katrina. Directs the Secretary to consult with specified congressional committees before exercising such general waiver authority.

(Sec. 1057) Directs the Inspector General of the Department of Education to audit and investigate each program carried out by the Department that includes response and recovery activities related to Hurricane Katrina.

(Sec. 1058) Terminates the effect of this part on September 30, 2006.

Actions Timeline

- **Feb 28, 2006:** By Senator Enzi from Committee on Health, Education, Labor, and Pensions filed written report. Report No. 109-218.
- **Feb 28, 2006:** By Senator Enzi from Committee on Health, Education, Labor, and Pensions filed written report. Report No. 109-218.
- **Nov 17, 2005:** Committee on Health, Education, Labor, and Pensions. Reported by Senator Enzi with an amendment in the nature of a substitute. Without written report.
- **Nov 17, 2005:** Committee on Health, Education, Labor, and Pensions. Reported by Senator Enzi with an amendment in the nature of a substitute. Without written report.
- **Nov 17, 2005:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 300.
- **Sep 8, 2005:** Committee on Health, Education, Labor, and Pensions. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Sep 6, 2005:** Introduced in Senate
- **Sep 6, 2005:** Sponsor introductory remarks on measure. (CR S9648-9649)
- **Sep 6, 2005:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure as introduced: CR S9649-9690)