

S 1642

Higher Education Amendments of 2007

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Sponsor

Name: Sen. Kennedy, Edward M. [D-MA]

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Cosponsors (10 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Bingaman, Jeff [D-NM]	D · NM		Jun 18, 2007
Sen. Brown, Sherrod [D-OH]	D · OH		Jun 18, 2007
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		Jun 18, 2007
Sen. Dodd, Christopher J. [D-CT]	D · CT		Jun 18, 2007
Sen. Enzi, Michael B. [R-WY]	R · WY		Jun 18, 2007
Sen. Murray, Patty [D-WA]	D · WA		Jun 18, 2007
Sen. Obama, Barack [D-IL]	D · IL		Jun 18, 2007
Sen. Reed, Jack [D-RI]	D · RI		Jun 18, 2007
Sen. Sanders, Bernard [I-VT]	I · VT		Jun 18, 2007
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Jun 19, 2007

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Reported By	Jul 10, 2007

Subjects & Policy Tags

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Education

Related Bills

Bill	Relationship	Last Action
110 HR 4137	Related bill	Aug 14, 2008: Became Public Law No: 110-315.

Higher Education Amendments of 2007 - Amends the Higher Education Act of 1965 (HEA) to revise HEA programs and to extend the authorization of appropriations for them through FY2013.

**Title I: General Provisions** - (Sec. 101) Adds definitions of a critical foreign language, distance education, and poverty line.

Provides that critical foreign languages are those contained on the list designated by the Secretary of Education in the Federal Register on August 5, 1985, but allows the Secretary to set language priorities according to the purposes of a specific program and national security, economic competitiveness, and educational needs.

States that poverty line refers to the poverty line applicable to a family of the size involved.

(Sec. 102) Revises the general definition of institution of higher education (IHE) to include schools that: (1) award degrees (not necessarily a bachelor's degree) that are acceptable for admission to a graduate or professional degree program; and (2) public or nonprofit private schools that enroll students who will be dually or concurrently enrolled in a secondary school.

(Sec. 103) Revises the definition of IHE for purposes of title IV student assistance programs.

Requires graduate medical schools located outside the country, that qualified as IHEs owing to their having a state-approved clinical training program, to have continuously operated a clinical training program in at least one state that is approved by such state.

Includes as proprietary IHEs and as postsecondary vocational institutions any schools that enroll students who will be dually or concurrently enrolled in a secondary school.

(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) Replaces the National Advisory Committee on Institutional Quality and Integrity with an Institutional Quality and Integrity Committee to assess the process of accreditation and the eligibility and certification of such institutions for title IV student assistance programs. Sets September 30, 2012, as the Committee's termination date.

(Sec. 106) Requires IHEs' biennial reviews of their alcohol and drug abuse prevention programs to include a determination as to: (1) the number of drug and alcohol-related incidents and fatalities occurring on their property or as part of their activities that are reported to them; and (2) the number and type of sanctions the IHEs impose on students or employees as a result of such incidents or fatalities.

(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) Requires the Commission of the Bureau of Labor Statistics to develop higher education price indices (HEPIs) that accurately reflect the annual change in tuition and fees for undergraduate students in specified categories of IHEs.

Directs the Secretary to report annually and share with the public, including private college guidebook publishers, information: (1) ranking IHEs according to their tuition and fee changes; (2) ranking IHEs whose tuition and fees exceed their applicable HEPI, in what are to be known as Higher Education Price Increase Watch Lists; (3) comparing each state's appropriations for public IHEs with changes in the tuition and fees for such schools; and (4) regarding the amount of need- and merit-based aid provided by each state for students in public IHEs.

Requires the Secretary to develop model net price calculators and, within three years of this Act's enactment, HEA-funded IHEs to adopt and use a net price calculator to help students, families, and consumers determine the net price (tuition minus grants and discounts) of an IHE.

Requires HEA-funded IHEs to include their most recent net price data in application materials.

Directs the Secretary to: (1) contract with an independent organization with experience in developing consumer-friendly websites to improve the College Opportunities On-Line (COOL) website so that it better meets the needs of students, families, and consumers for accurate and appropriate IHE information; and (2) develop a model document to be known as the University and College Accountability Network (U-Can) for annually reporting specified basic information about an participating IHE, to be posted on the college information website and made available to IHEs, students, families, and other consumers.

Directs the Comptroller General to study and report to Congress on the time and cost burdens to IHEs associated with completing the Integrated Postsecondary Education Data System (IPEDS).

(Sec. 109) Prohibits the creation or maintenance of a federal database of personally identifiable student information. States that such prohibition does not apply to existing systems that are necessary for the operation of title II, IV, or VII programs or state databases that track individuals over time.

(Sec. 110) Directs the Secretary to: (1) ensure that a link to current student aid information is displayed prominently on the home page of the Department of Education's website; and (2) contract with an independent organization with experience in developing consumer-friendly websites to improve the usefulness and accessibility of the Department's information on college financial planning and student aid.

(Sec. 110A) Establishes a State Higher Education Information System Pilot program under which the Secretary shall award competitive grants to up to five states, consortia of states, or consortia of IHEs to: (1) design, test, and implement state-level postsecondary student data systems that provide the maximum benefits to states, IHEs, and state policymakers; and (2) examine the costs and burdens involved in implementing such systems.

(Sec. 111) Revises requirements for: (1) the performance-based organization organization for delivery of federal student financial assistance; and (2) procurement flexibility.

(Sec. 113) Requires IHEs that enter into educational loan arrangements, under which schools recommend and use a title IV lender in exchange for material benefits, to disclose the name of the lender in loan documentation.

Requires lenders under the Federal Family Education Loan (FFEL) or Direct Loan (DL) programs to: (1) provide students with specified written information concerning student loan costs, terms, and repayment before furnishing the loan; and (2) report annually to the Secretary on certain reimbursements provided to IHE financial aid employees.

Directs the Secretary to report to Congress on the adequacy of FFEL and DL information provided to borrowers. Requires such report to include a model disclosure form, based on the report's findings, for lender use in providing

annual loan information to the Secretary and IHEs with which they have a educational loan arrangement. Requires IHEs to provide the Secretary, prospective borrowers, and the public with the disclosure form information for loans provided by lenders with which they have such an arrangement as well as a detailed explanation of why such loans are beneficial to borrowers.

(Sec. 114) Directs the Comptroller General to study and report to Congress regarding the current collection of information on the employment of postsecondary school graduates, and the feasibility and best means of collecting and displaying additional information on the employment of graduates of all types of postsecondary programs.

(Sec. 115) Requires that, for graduate medical schools located outside the U.S. or Canada to qualify as IHEs under the FFEL program, beginning on July 1, 2010, at least 75% (currently, 60%) of the school's former students or graduates taking the examinations administered by the Educational Commission for Foreign Medical Graduates must pass such examinations.

Directs the Comptroller General to study and report to Congress on American students who receive federal student aid to attend graduate medical schools abroad, including: (1) the amount of such aid; (2) actual and recommended graduate examination pass rates; (3) graduates who return to this country; and (4) their medical practice performance.

(Sec 116) Prohibits IHEs from using federal funds to lobby for federal contracts, grants, loans, cooperative agreements, or earmarks.

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

Eliminates the State grant and Teacher Recruitment grant programs.

Turns the Partnership grant program into the revised Teacher Quality Partnership grant program.

Authorizes the Secretary to award competitive five-year grants to partnerships of high-need local educational agencies (LEAs), high-need schools, and IHEs for use in carrying out a pre-baccalaureate teacher preparation program, a teaching residency program, or both.

Requires the pre-baccalaureate teacher preparation program to include: (1) educational reforms; (2) clinical experience and interaction; (3) induction programs for new teachers that provide them with mentoring and support for at least their first two years of teaching; and (4) teacher recruitment mechanisms.

Allows partnerships to use grant funds to partner with television public broadcast stations to improve the quality of pre-baccalaureate teacher preparation programs.

Requires the teaching residency program to prepare teachers for success in the high-need schools in the partnership by engaging residents in rigorous graduate-level coursework to earn a master's degree while they undertake a guided teaching apprenticeship alongside a trained and experienced mentor teacher who may be relieved of teaching duties. Requires teacher residents to be: (1) recent graduates of a four-year IHE; or (2) mid-career professionals from outside the field of education who possess strong content knowledge or a record of professional accomplishment. Provides residents with a living stipend or salary during the one-year residency program in exchange for at least three years of service in a high-need school served by the high-need LEA.

Requires partnership grantees to provide an amount equal to the amount of the grant from nonfederal sources for

program activities, unless the Secretary grants them a hardship waiver.

Adds programs that offer alternative routes to state certification and licensure to the teacher preparation programs that must provide annual reports to the Secretary concerning certain measures of program effectiveness, such as student success on certification or licensure assessments. Prohibits the Secretary from using such information to create a national list or ranking of states, institutions, or schools.

Requires title IV-eligible IHEs that provide teacher training to set annual quantifiable goals for: (1) increasing the number of prospective teachers trained in teacher shortage areas; and (2) linking the training they provide more closely with the needs of schools and the instructional decisions new teachers face in the classroom. Directs such IHEs to publicly report on their performance toward such goals.

Reauthorizes appropriations for FY2008-FY2013 for the Teacher Quality Partnership grant program.

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

(Sec. 301) Expands the authorized uses of institutional aid to include remedial education, English language instruction, and educational or counseling services to improve the financial and economic literacy of students or their parents.

(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 their parents; and (3) developing and improving facilities for Internet and other distance education technologies.

(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 their parents.

(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. Requires the undergraduate student enrollment of Native Americans at such institutions to be at least 10% of the total undergraduate enrollment.

(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) Authorizes the use of part B funds for education or counseling services designed to improve the financial literacy and economic literacy of students or their parents.

(Sec. 308) Conditions part B institutions' eligibility for part B allotments on their providing annual data indicating that they enroll Pell grant recipients, that their graduates graduate from accredited programs, and that their graduates have enrolled in graduate or professional school within the past five years.

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

(Sec. 310) Requires the Secretary to report to Congress on the Department's progress in implementing the

recommendations made by the Government Accountability Office (GAO) in October 2006 for improving the Historically Black College and Universities Capital Financing program.

(Sec. 311) Reauthorizes appropriations for FY2008-FY2013 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 FY2013.

Sets the authorized maximum Pell Grant award at \$5,400 for academic year 2008-2009, \$5,700 for academic year 2008-2009, \$6,000 for academic year 2010-2011, and \$6,300 for academic year 2011-2012.

Sets the minimum Pell Grant (currently \$400) at 10% of the appropriated maximum grant level for that academic year; but allows an award of a grant equal to 10% of such level if students are eligible for a grant between 5% and 10% of such level.

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

Allows the awarding of an additional Pell Grant during a single award year to certain students who attend school 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) Makes eligible for Academic Competitiveness grants: (1) part-time students; (2) fifth-year students, (3) non-citizens; (4) first-year students who were previously enrolled in undergraduate education; (5) students enrolled in certificate-awarding programs; and (6) students enrolled in IHEs that do not permit declaration of a major, but who are studying one of the requisite subjects or are required to undertake rigorous studies in mathematics, biology, chemistry, and physics.

Requires IHEs to make payments of such grants in the same manner they make Pell grant payments.

(Sec. 403) Reauthorizes appropriations for FY2008-FY2013 for TRIO programs (of grants and contracts designed to identify qualified individuals from disadvantaged backgrounds and help prepare them for a program of postsecondary education).

Extends the duration of TRIO grants to five years. Sets the minimum grant at \$200,000.

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.

Requires the Secretary to give priority under the TRIO Upward Bound program to projects that select not less than 30% of all first-time participants from students who have a high academic risk for failure. Prohibits the denial of participation to students who enter projects after the ninth grade.

Authorizes additional appropriations for each of FY2008-FY2011 to provide assistance to applicants for Upward Bound projects that: (1) did not receive funding in FY2007; and (2) receive a grant score above 70.

Includes Native Hawaiians and Pacific Islanders in the Postbaccalaureate Achievement program designed to provide disadvantaged college students with effective preparation for doctoral study.

(Sec. 404) Reauthorizes appropriations for FY2008-FY2013 for Gaining Early Awareness and Readiness for Undergraduate Programs (GEARUP).

Authorizes the use of funds for education and counseling services to improve the financial and economic literacy of students and families who are assisted by GEARUP. 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 GEARUP.

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

Repeals authority for 21st Century Scholar Certificates.

(Sec. 405) Repeals authority for academic achievement incentive scholarships.

(Sec. 406) Reauthorizes appropriations for FY2008-FY2013 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. 407) Reauthorizes appropriations for FY2008-FY2013 for the Leveraging Educational Assistance Partnership (LEAP) Program. Increases the maximum LEAP grant from \$5,000 to the lesser of \$12,500 or the student's cost of attendance each academic year.

Replaces the Special Leveraging Educational Assistance Partnership (SLEAP) program with the Grants for Access and Persistence program. Requires state grantees to be in partnership with: (1) at least one IHE in the state; (2) early information and intervention, mentoring, or outreach programs in the state; and (3) at least one philanthropic organization or business in the state. Requires such partnerships to: (1) coordinate the provision of financial assistance to low-income students; (2) provide need-based grants for access and persistence to eligible low-income students; (3) provide early notification to low-income students of their eligibility for financial aid; and (4) encourage their participation in early information and intervention, mentoring, or outreach programs.

Sets the federal share of funds for the Grants for Access and Persistence program at: (1) 50%, if the state partnership includes IHEs whose combined enrollment is less than half of the student enrollment in the state; and (2) 57%, if more than half of the students in the state are enrolled in a participating IHE.

(Sec. 408) Reauthorizes appropriations for FY2008-FY2013 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 eligibility requirements for both programs to make it the students or their immediate family which must engage in the requisite period of migrant and seasonal farmwork, rather than they or their parents.

Includes preparation for college entrance examinations and activities to improve persistence and retention in postsecondary education among the services provided under the HEP program.

Adds economic or personal finance education, internships, and certain follow-up services to CAMP activities.

Increases the minimum allocation for each project under both programs.

(Sec. 409) Reauthorizes appropriations for FY2008-FY2013 for the Robert C. Byrd Honors Scholarship Program. Makes home-schooled children eligible under the program.

(Sec. 410) Reauthorizes appropriations for FY2008-FY2013 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. Alters the definition of low-income students to include those who would be eligible for Pell grants but for their enrollment in graduate level studies or their temporary status in this country.

(Sec. 411) Repeals the Learning Anytime Anywhere Partnerships program.

**Part B: Federal Family Education Loan Program** - (Sec. 421) Requires lenders to provide student borrowers of unsubsidized FFELs with information regarding the effect a deferment will have on the total cost of the loan before granting such deferment.

Adds to the business inducements FFEL guaranty agencies are prohibited from offering IHEs and lenders to include stock or other securities, prizes, travel, entertainment expenses, and tuition repayment. Prohibits guaranty agencies from performing or paying another person to perform any function the IHE is required to perform under the FFEL or DL programs.

Requires FFEL lenders granting forbearance to borrowers to provide them with information concerning its effect on the total cost of their loan and to keep them updated, at least once every 180 days, concerning the loan's accrual of interest and their option to discontinue forbearance at any time.

(Sec. 422) Directs lenders to inform borrowers seeking to consolidate loans: (1) of loan costs and repayment terms, including the ability to prepay or change repayment plans; (2) whether FFEL or DL repayment-related benefits will be lost; (3) that certain Federal Perkins Loan (PL) interest-free periods and deferment and cancellation options will be lost; (4) that other lenders may offer different terms; and (5) that applying for such loans does not oblige borrowers to take them.

(Sec. 423) Requires guaranty agencies and prior holders of FFEL loans under default reduction programs to request consumer reporting agencies to remove borrowers' records of default upon the sale of such loans. Limits the loan rehabilitation benefits available to borrowers under such programs to one time per loan. Requires default reduction programs to make financial and economic education materials available to borrowers.

(Sec. 424) Requires reports to credit bureaus and IHEs to include information regarding the type of title IV loan, the repayment status of the loan, and any other information required by federal law.

(Sec. 425) Allows IHEs to use a master promissory note for FFELs and DLs.

(Sec. 426) 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. 427) Requires participating guaranty agencies and IHEs to provide students with consumer education information



on budgeting and financial management.

(Sec. 428) Expands the activities disqualifying lenders from participation in the FFEL program, including: (1) offering specified inducements to IHEs; (2) performing certain uncompensated services for IHEs; and (3) entering into certain business arrangements with students or school financial aid employees.

Terminates on June 30, 2012, the authority of a school to serve as a lender or a lender to serve as a school trustee under the FFEL program. Requires such school lenders and trustees to provide annual compliance audits to the Secretary.

(Sec. 429) Requires the Secretary to discharge a borrower's liability under the FFEL, DL, and PL programs if a borrower, although not permanently and totally disabled, is unable to engage in any substantial gainful activity because of a medically determinable impairment which can be expected to result in death or last at least 60 continuous months. Allows the Secretary to develop anti-fraud safeguards.

**Part C: Federal Work-Study Programs** - (Sec. 441) Reauthorizes appropriations for FY2008-FY2013 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) Allows a waiver of the requirement that IHEs have a tutoring or family literacy project, and use 7% of their WS allocation to compensate students' community service, if the school certifies that at least 15% of its full-time students participate in specified community service or tutoring and literacy activities.

(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.

Revises work college requirements by: (1) referring to work college programs as comprehensive work-learning-service programs; (2) limiting eligibility to four-year degree-granting IHEs; and (3) requiring resident students, including at least half of all resident students enrolled on a full-time basis, to participate in a comprehensive work-learning-service program for at least five hours each week, or not less than 80 hours during each period of enrollment, unless they are engaged in study abroad or externship programs approved by the school.

**Part D: Federal Perkins Loans** - (Sec. 451) Reauthorizes certain appropriations for FY2008-FY2013 under the PL program.

(Sec. 451A) Increases the allowance for books and supplies in determining cost of attendance under the program.

(Sec. 451B) Alters the manner of documenting the terms of a PL forbearance agreement between an IHE and borrower.

(Sec. 452) 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.

Provides loan cancellation for such occupations and for service in the armed forces in an area of hostilities at the rate of

15% for the first or second year of service, 20% for the third or fourth year of service, and 30% for the fifth year of service.

**Part E: Need Analysis** - (Sec. 461) Expands the definition of an allowance for room and board to include an allowance for expenses reasonably incurred for board, but not for room, for those students who receive a military housing allowance or live on base.

(Sec. 462) Excludes the value of on-base military housing or a military housing allowance from consideration as untaxed income or benefits in the need analysis formula.

**Part F: General Provisions Relating to Student Assistance** - (Sec. 471) Limits the Secretary's authority to waive the minimum weeks of instruction requirement for IHEs to IHEs that measure program length in credit or clock hours.

(Sec. 472) Directs the Secretary to provide to IHEs before each award year a compliance calendar listing all reports and disclosures required under HEA, including specified information.

(Sec. 473) 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.

Directs the Secretary to implement an early application demonstration program assessing the feasibility and benefits of allowing dependent students to complete a FAFSA two years before their enrollment in an IHE.

Authorizes the Secretary, after the completion of the demonstration project, to use Internal Revenue Service (IRS) data to populate the electronic FAFSA if the Secretary and the Secretary of the Treasury determine that such use would not have a significant negative impact on students, IHEs, states, or the federal government.

(Sec. 474) 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.

Sets forth HEA student aid eligibility requirements for students with intellectual disabilities who are eligible for assistance under the Individuals with Disabilities Education Act (IDEA) and have completed secondary school, or are not eligible for such assistance due to their exceeding the maximum age.

(Sec. 475) 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 Perkins Loan program. Provides that, if a student is deceased, neither the student's estate nor family's estate is required to repay any title IV assistance or related costs.

(Sec. 476) Gives IHEs the option of determining that HEA requirements regarding the return of title IV funds do not apply to students who do not begin the IHE withdrawal process or fail to notify the IHE of such withdrawal due to circumstances beyond their control.

(Sec. 477) Adds to the institutional information IHEs must provide by including information on: (1) plans for improving

their academic programs; (2) policies and sanctions related to copyright infringement; (3) student body diversity; (4) graduate employment; (5) the types of graduate and professional education pursued by graduates; (6) fire safety practices and standards; (7) their undergraduate student retention rates; (8) immediate emergency response and evacuation procedures; and (9) transfer of credit policies.

Sets forth requirements regarding such emergency response and evacuation procedures, including the requirement that such procedures be tested on an annual basis.

Requires IHEs to inform prospective and enrolled students of the terms and conditions of FFELs, DLs, and PLs. Adds to the exit counseling information schools must provide to student borrowers. Requires certain information regarding: (1) costs and repayment terms, including the ability to prepay or change repayment plans; (2) loan forgiveness and forbearance options; (3) the effects of consolidating such loans; and (4) the availability of the National Student Loan Data System for use in obtaining information on their loan status.

(Sec. 478) Requires IHEs, at or before disbursing a FFEL or DL to a first-time student borrower, to ensure that the borrower receives comprehensive information on the terms and conditions of the loan as well as the borrower's responsibilities.

(Sec. 479) Direct the Secretary to take actions necessary to maintain confidence in the National Student Loan Data System, at a minimum: (1) ensuring that guaranty agencies, lenders, and schools access it primarily for legitimate program operations; (2) prohibiting nongovernmental researchers or policy analysts from accessing personally identifiable information; (3) creating a disclosure form for actual and potential students describing the contents of, and access to, the system; (4) requiring guaranty agencies, lenders, and schools to inform borrowers of FFELs, DLs, and PLs that such a loan will be submitted to the system and accessible to such entities; (5) reviewing the system regularly to delete inactive users, monitor use, and ensure that data is not used for marketing purposes; and (6) developing standardized protocols for limiting access.

Requires the Secretary to study and report to Congress on: (1) mechanisms giving borrowers the option of restricting lender access to their system records; and (2) appropriate risk-based protocols for limiting access.

(Sec. 480) Directs the Secretary to implement a comprehensive system of early financial aid information in order to provide students and families with early information about financial aid and early estimates of such students' eligibility for financial aid from multiple sources.

(Sec. 481) Revises requirements for title IV program participation agreements.

Requires IHEs to establish and enforce a student loan code of conduct prohibiting them: (1) or their financial aid employees from accepting certain inducements from, or entering into certain business arrangements with, lenders; or (2) from assigning a first-time borrower's loan to a particular lender or blocking a borrower's selection of a particular lender or guaranty agency. Limits, suspends, or terminates an IHE's participation in title IV loan programs for noncompliance with such code.

Subjects to sanctions any proprietary IHEs that do not earn at least 10% of their revenue from non-title IV sources (the 90/10 rule), including suspension of their title IV eligibility after two consecutive years of noncompliance.

Requires an IHE with an FFEL preferred lender list to: (1) disclose fully on it the reason for each lender's inclusion and the students' right to choose other lenders; (2) include at least three unaffiliated lenders; and (3) establish and disclose a

process to ensure that lenders are listed on the basis of the benefits they provide borrowers.

Requires IHEs whose access to title IV funds is being limited, suspended, or terminated to prepare written teach-out plans that provide for the equitable treatment of students if the school ceases operation before all students complete their studies.

(Sec. 482) Authorizes the Secretary to continue until June 30, 2008, projects under the Quality Assurance program which allow certain IHEs to implement their own comprehensive student aid management systems.

(Sec. 483) Allows IHE to transfer up to 25% of their SEOG allotment to their WS program.

(Sec. 485) Directs the Advisory Committee on Student Financial Assistance to: (1) review and analyze regulations; and (2) study innovative pathways to baccalaureate degree attainment. Includes among the Committee's purposes improving understanding of early intervention programs and making recommendations that result in increased availability and awareness of aid.

(Sec. 486) Includes state student grant agencies in certain regional meetings.

**Part G: Program Integrity** - (Sec. 491) 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 include a statement of the IHE's criteria regarding the transfer of credit earned at another IHE.

Prohibits the Secretary from issuing regulations regarding the specific standards an accrediting agency or association uses to assess an IHE.

(Sec. 492) Provides for special treatment of teach-outs at additional IHE locations.

(Sec. 493) Sets forth additional requirements for accreditors regarding program review and data.

(Sec. 494) Requires title IV lenders to provide specified loan information to borrowers for each payment installment period, at least one month before repayment commences, during delinquency, and at least twice during default.

(Sec. 495) Provides that, if the Congress authorizes the Secretary to carry out a pilot program for the auction of federal PLUS loans, the Comptroller General must conduct an evaluation and report to Congress regarding the costs and benefits of such auction and the desirability of auctioning other FFELs.

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

(Sec. 501) 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. 502) 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. 505) Reauthorizes appropriations for FY2008-FY2013 for the part A program of grants to HSIs that offer baccalaureate degrees or are junior or community colleges.

Authorizes appropriations for FY2008-FY2013 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 a wide range of federal agencies on the national need for expertise in foreign languages and world regions before requesting applications for title VI funding during each grant cycle; and (2) assist grantees in developing a survey on placement of students after their graduation from 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. Makes undergraduates engaged in the intermediate or advanced study of a less commonly taught language eligible for fellowships for foreign language and area or international studies.

(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.

Authorizes the Secretary to use up to 20% (currently, 10%) of the funds appropriated under part A of title VI for such programs; but limits the study abroad component to 10%.

(Sec. 604) Includes among authorized research and study activities: (1) an evaluation of the extent to which title VI programs reflect diverse perspectives and generate debate on world regions and international affairs; and (2) the collection, analysis, and dissemination of title VI 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) Requires that, in choosing grant recipients for foreign language and area or international studies centers and programs, the Secretary consider an applicant's efforts to increase the number of students going into areas of national need.

(Sec. 607) Requires American overseas research centers that desire a title VI grant to submit an application to the Secretary.

(Sec. 608) Reauthorizes appropriations for FY2008-FY2013 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, where applicable.

(Sec. 611) Reauthorizes appropriations for FY2008-FY2013 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) Makes the current annual IIPP report biennial.

(Sec. 620) Reauthorizes appropriations for FY2008-FY2013 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.

Directs the Secretary to submit a biennial report to Congress that identifies, and includes a plan to address, areas of national need in foreign language, area, and international studies.

**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 FY2008-FY2013 for the Jacob K. Javits Fellowship program.

(Sec. 705) Specifies the entities with which the Secretary is to consult and some considerations to take into account in determining areas of national need under the Graduate Assistance in Areas of National Need program.

(Sec. 707) Reauthorizes additional assistance for cost of education to IHEs under such program.

(Sec. 708) Reauthorizes appropriations for FY2008-FY2013 for the Graduate Assistance in Areas of National Need program.

(Sec. 709) Revises the Thurgood Marshall Legal Educational Opportunity program to involve secondary school students in the program and provide Thurgood Marshall Fellowships to law school students who participate in certain summer institutes.

Reauthorizes appropriations for FY2008-FY2013 for the program.

(Sec. 710) Adds to authorized activities under the Fund for the Improvement of Postsecondary Education program (FIPSE): (1) the establishment and continuation of joint efforts based on the technology of communications; (2) the reform of remedial and English language instruction; and (3) the creation of IHE consortia to establish interdisciplinary

programs on poverty.

Establishes new FIPSE programs to: (1) support and promote the establishment of new integrated education reform services, with funds going to the nonprofit educational organization Project Grad USA; (2) create at an IHE a center to study and develop best practices to support single-parent students; and (3) create at an IHE a clearinghouse to help IHEs understanding the federal regulatory impact on higher education; and (4) create a scholarship program for the family members of veterans and military personnel.

(Sec. 711) Adds to the areas of national need eligible for special project funding under the FIPSE program, including foreign language studies.

(Sec. 712) Reauthorizes appropriations for FY2008-FY2013 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) Adds to authorized activities under demonstration projects to ensure students with disabilities receive a quality higher education. Includes among such activities: (1) the development of innovative teaching methods and strategies to ensure the successful transition of disabled students from secondary to postsecondary education; (2) increased availability of distance education to disabled students; (3) teacher training and support in providing disabled students with career options; and (4) curriculum development to make postsecondary education more accessible to disabled students.

Establishes a new competitive matching grant program for IHEs to create or expand high-quality, inclusive model comprehensive transition and postsecondary programs for students with intellectual disabilities focusing on academic enrichment, socialization, independent living, and integrated work experiences and career skills.

Directs the Secretary to enter into a cooperative agreement with an entity that has relevant experience for the establishment of a coordinating center for technical assistance, evaluation, and development of accreditation standards for IHEs that offer inclusive model comprehensive transition and postsecondary programs for students with intellectual disabilities.

(Sec. 716) Reauthorizes appropriations for FY2008-FY2013 for demonstration projects to ensure that students with disabilities receive a quality higher education.

(Sec. 717) Authorizes the Secretary to award competitive matching grants to educational organizations to develop or improve valid and reliable measures of student achievement for use by IHEs in evaluating learning.

**Title VIII: Miscellaneous** - (Sec. 801) Establishes the Mathematics and Science Scholars program, providing competitive matching grants to states for scholarships to first and second year college students who complete a rigorous secondary school curriculum in mathematics and science.

Directs the Secretary to contract with an independent bipartisan organization to study the cost factors associated with tuition at IHEs.

Authorizes the Secretary to award competitive grants to partnerships of community colleges and workforce investment boards for job skills training in high-growth occupations or industries.

Authorizes the Secretary to award competitive grants to: (1) undergraduate registered nurse (R.N.) nursing programs to

expand faculty and facilities to accommodate additional students; or (2) graduate nursing programs to accommodate advanced practice degrees for R.N.s or provide teachers for nursing students.

Authorizes the Secretary to award competitive grants to IHEs to establish or strengthen academic programs or centers that promote knowledge of traditional American history, free institutions, and Western civilization.

Authorizes the Secretary of Education to award a grant to Teach For America, Inc. to implement and expand its program of recruiting, selecting, training, and supporting new teachers who commit to teach for two years in underserved communities. Directs the Secretary to provide for a study, at least once every three years, examining the achievement levels of students taught by such teachers.

Establishes the Patsy T. Mink Fellowship program of awards to assist highly qualified minorities and women to acquire the doctoral degree, or highest possible degree available, in academic areas in which such individuals are underrepresented, to enable them to enter the higher education professoriate. Requires fellowship recipients to serve at the IHE from which they received the fellowship for a period equivalent to the fellowship period.

Directs the Secretary to contract with a nonprofit organization to conduct a needs assessment of, and provide comprehensive services to, urban LEAs and rural states to improve higher education enrollment rates.

Authorizes the Secretary to award formula grants to Predominantly Black Institutions to: (1) enhance their capacity to serve more low and middle-income Black American students; (2) expand higher education opportunities for students eligible for student assistance under title IV of the HEA by encouraging such students to prepare for college and persist in secondary and postsecondary education; and (3) strengthen their financial ability to serve the academic needs of such students.

Defines Predominantly Black Institutions as accredited institutions serving at least 1,000 undergraduate students at least: (1) 50% of whom are pursuing a bachelor's or associate's degree; (2) 40% of whom are African-Americans; and (3) 50% of whom are low-income or first-generation college students. Requires the spending per full-time undergraduate student of such institutions to be low in comparison to that of institutions offering similar instruction.

Early Childhood Education Professional Development and Career Task Force Act - Authorize the Secretary to award competitive grants to a state for the establishment of a State Early Childhood Education Professional Development and Career Task Force: (1) composed of state, higher education, and early childhood education representatives; and (2) tasked with developing a plan for a comprehensive statewide early childhood education professional development and career system that includes the provision of postsecondary educational assistance to individuals who agree to work in early childhood education programs.

Authorizes the Secretary to award a grant to a partnership of IHEs and private career organizations to expand programs for the development of science, technology, engineering, or mathematics professionals, from elementary school through college, including existing programs for Alaska Native and Native Hawaiian students.

Establishes a Pilot Program to Increase Persistence in Community Colleges under which the Secretary awards competitive grants to community colleges for scholarships and counseling services for low-income students with dependent children. Provides scholarship funds to students upon their completion of certain academic milestones.

Authorizes the Secretary to award competitive matching grants to IHEs to do one or more of the following: (1) develop and implement a state-of-the art emergency communications system; (2) take measures to improve IHE safety; or (3)



coordinate, with appropriate local entities, the provision of mental health services to students affected by a campus or community emergency. Gives the Secretary, the Attorney General, and the Secretary of Homeland Security joint authority to advise IHEs and disseminate information concerning model emergency response policies, procedures, and practices.

(Sec. 802) Requires the Secretary of Health and Human Services to award competitive grants to veterinary schools or entities offering veterinary training to increase the number of veterinarians in the workforce.

Authorizes the Secretary to establish an Early Federal Pell Grant Demonstration Program awarding: (1) grants to four state education agencies to cover program administrative expenses; and (2) Pell Grants to eighth grade students who are eligible for a free or reduced price meal under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966.

Authorizes the Secretary to award a grant to the University of Hawaii Academy for Creative Media for the establishment, maintenance, and periodic modernization of the Henry Kuualoha Giugni Kupuna Memorial Archives at the University of Hawaii.

Requires the Archives to use grant funds, among other things, for: (1) acquisition of a secure web accessible repository of Native Hawaiian historical data; (2) college scholarships for disadvantaged students; (3) creation of educational materials applicable to a broad range of indigenous students; (4) outreach to elementary and secondary school students; (5) relevant teacher training; and (6) the enhancement of the economic and financial literacy of college students.

(Sec. 803) Directs the Secretary to: (1) establish one or more nonprofit clearinghouses of student loan information that are unaffiliated in any way with IHEs, lenders, or guaranty agencies; and (2) publish and update quarterly a list of such clearinghouses on the Department of Education's website.

(Sec. 804) Authorizes the Secretary to award competitive matching grants to minority-serving IHEs to: (1) acquire digital and wireless technology; and (2) develop and provide educational services, including professional development for educators, related to science, technology, engineering, and mathematics.

**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.

(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. 907) Reauthorizes appropriations for FY2008-FY2013 for monitoring, evaluation, and reporting under EDA.

(Sec. 909) Reauthorizes appropriations for FY2008-FY2013 for federal endowment programs for Gallaudet University and NTID under EDA.

(Sec. 911) Exempts international students participating in distance learning through Gallaudet University or NTID from: (1) counting against the international student enrollment cap, though prohibits their displacing U.S. citizens applying for such courses; and (2) the tuition surcharge other international students at such schools must pay.

Mandates that such schools reduce the tuition surcharge from 100% to 50% for international students from developing countries. Permits such schools to use a sliding scale to reduce such surcharge to no less than 25% for students from developing countries, and to no less than 50% for students from non-developing countries, if such students demonstrate need and have made a good effort to secure aid from their home country or other sources.

Raises to \$4,825 the maximum per capita income level at which a country is considered a developing country.

(Sec. 913) Reauthorizes appropriations under EDA for FY2008-FY2013 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 reauthorize appropriations for the U.S. Institute of Peace for FY2008-FY2013. Requires 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. Authorizes the Secretary to establish performance objectives and reporting requirements for state grantees.

Alters youth offender eligibility to include persons under age 35 (currently, 25) and exclude persons who have committed a criminal offense against a minor, a sexually violent offense, or murder. Increases the amount that each state can receive for each eligible student from a maximum of \$1,500 to a maximum of \$3,000 annually for tuition, books, and essential materials.

Reauthorizes appropriations for the program for FY2008-FY2013.

(Sec. 933) Reauthorizes appropriations for the Underground Railroad educational and cultural program for FY2008-FY2013.

(Sec. 934) Reauthorizes appropriations for Olympic scholarships for FY2008-FY2013.

**Part D: Indian Education - Subpart 1: Tribal Colleges and Universities** - Amends the Tribally Controlled College or University Assistance Act of 1978 to define an Indian student as a member of an Indian tribe or a biological child of such a member.

Sets forth the method of determining credits earned in an Indian continuing education program, but limits such credits to 10% of the Indian student count of a tribally controlled college or university.

Requires tribally controlled college or university grantees to be accredited by a nationally recognized accrediting agency or association that meets the Secretary's approval or making progress toward such accreditation according to such agency or association.

Increases the grant amount per Indian student count from \$6,000 to \$8,000.

Reauthorizes appropriations for various programs under the Tribally Controlled College or University Assistance Act of 1978.

Establishes a grant program for two tribally controlled postsecondary career and technical institutions, the United Tribes Technical College and the Navajo Technical College.

**Subpart 2: Navajo Higher Education** - Navajo Nation Higher Education Act of 2006 - (Sec. 946) Amends the Navajo Community College Act to replace references to the Navajo Community College with references to Dine college. Reauthorizes appropriations for grants Dine college for FY2008-FY2013. Adds the improvement and expansion of Dine college to authorized grant uses.

Directs the Secretary to assume the obligation to repay student loans under the FFEL, DL, and PL programs on behalf of civil legal assistance attorneys for the duration of agreements between the Secretary and such attorneys requiring their continued employment in such capacity for at least three years. Authorizes the Secretary to enter into additional such agreements with civil legal assistance attorneys who have completed their service obligation. Authorizes appropriations.

**Part E: Omnibus Crime Control and Safe Streets Act of 1968** - John R. Justice Prosecutors and Defenders Incentive Act of 2007 - (Sec. 952) Amends the Omnibus Crime Control and Safe Streets Act of 1968 to direct the Attorney General to assume the obligation to repay student loans under the FFEL, DL, and PL programs for borrowers who agree to remain employed, for at least three years, as: (1) state or local criminal prosecutors; or (2) state, local, or federal public defenders in criminal or juvenile delinquency cases. Authorizes the Attorney General to enter into additional such agreements with prosecutors and public defenders who have completed their service obligation.

Requires the GAO to study and report to Congress on the impact law school accreditation requirements and other factors have on law school costs and access, including their impact on racial and ethnic minorities.

Authorizes appropriations.

## Actions Timeline

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- **Nov 15, 2007:** By Senator Kennedy from Committee on Health, Education, Labor, and Pensions filed written report. Report No. 110-231.
- **Jul 26, 2007:** Received in the House.
- **Jul 26, 2007:** Message on Senate action sent to the House.
- **Jul 26, 2007:** Held at the desk.
- **Jul 24, 2007:** Considered by Senate. (consideration: CR S9797-9811)
- **Jul 24, 2007:** The committee substitute as amended agreed to by Voice Vote.
- **Jul 24, 2007:** Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 95 - 0. Record Vote Number: 275.(text: CR 7/25/2007 S9984-10045)
- **Jul 24, 2007:** Passed Senate with an amendment by Yea-Nay Vote. 95 - 0. Record Vote Number: 275. (text: CR 7/25/2007 S9984-10045)
- **Jul 23, 2007:** Measure laid before Senate by unanimous consent. (consideration: CR S9670-9767; text of measure as reported in Senate: CR S9670-9721)
- **Jul 10, 2007:** Committee on Health, Education, Labor, and Pensions. Reported by Senator Kennedy with an amendment in the nature of a substitute. Without written report.
- **Jul 10, 2007:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 264.
- **Jun 20, 2007:** Committee on Health, Education, Labor, and Pensions. Ordered to be reported with amendments favorably.
- **Jun 18, 2007:** Introduced in Senate
- **Jun 18, 2007:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.