

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 4508
OFFERED BY MR. SCOTT OF VIRGINIA AND MR.
NORCROSS OF NEW JERSEY**

Strike sections 101 and 102.

After section 407, insert the following:

1 SEC. 408. AMERICA’S COLLEGE PROMISE ACT.

2 Part A of title IV (20 U.S.C. 1070 et seq.) is further
3 amended by adding at the end the following:

4 **“Subpart 11—America’s College Promise Act**

5 **“SECTION 420S. SHORT TITLE.**

6 “This subpart may be cited as the ‘America’s College
7 Promise Act’.

8 **“SEC. 420T. PURPOSE.**

9 “The purpose of this subpart is to help all individuals
10 of the United States earn the education and skills the indi-
11 viduals need—

12 “(1) by making 2 years of community college
13 free, through a new partnership with States and In-
14 dian tribes to help the States and Indian tribes—

15 “(A) waive resident community college tui-
16 tion and fees for eligible students;

1 “(B) maintain State and Indian tribe sup-
2 port for higher education; and

3 “(C) promote key reforms to improve stu-
4 dent outcomes; and

5 “(2) through a new partnership with minority-
6 serving institutions to—

7 “(A) encourage eligible students to enroll
8 and successfully complete a baccalaureate de-
9 gree at participating institutions; and

10 “(B) promote key reforms to improve stu-
11 dent outcomes.

12 **“CHAPTER 1—STATE AND INDIAN TRIBE**
13 **GRANTS FOR COMMUNITY COLLEGES**

14 **“SEC. 420U. IN GENERAL.**

15 “From amounts appropriated under section 420AA
16 for any fiscal year, the Secretary shall award grants to
17 eligible States and Indian tribes to pay the Federal share
18 of expenditures needed to carry out the activities and serv-
19 ices described in section 420Y.

20 **“SEC. 420V. FEDERAL SHARE; NON-FEDERAL SHARE.**

21 “(a) FEDERAL SHARE.—

22 “(1) FORMULA.—Subject to paragraph (2), the
23 Federal share of a grant under this chapter shall be
24 based on a formula, determined by the Secretary,
25 that—

1 “(A) accounts for the State or Indian
2 tribe’s share of eligible students; and

3 “(B) provides, for each eligible student in
4 the State or Indian tribe, a per-student amount
5 that is—

6 “(i) not less than 300 percent of the
7 per-student amount of the State or Indian
8 tribe share, determined under subsection
9 (b), subject to clause (ii); and

10 “(ii) not greater than 75 percent of—

11 “(I) for the 2019-2020 award
12 year, the average resident community
13 college tuition and fees per student in
14 all States for the most recent year for
15 which data are available; and

16 “(II) for each subsequent award
17 year, the average resident community
18 college tuition and fees per student in
19 all States calculated under this sub-
20 clause for the preceding year, in-
21 creased by the lesser of—

22 “(aa) the percentage by
23 which the average resident com-
24 munity college tuition and fees
25 per student in all States for the

1 most recent year for which data
2 are available increased as com-
3 pared to such average for the
4 preceding year; or

5 “(bb) 3 percent.

6 “(2) EXCEPTION FOR CERTAIN INDIAN
7 TRIBES.—In any case in which not less than 75 per-
8 cent of the students at the community colleges oper-
9 ated or controlled by an Indian tribe are low-income
10 students, the amount of the Federal share for such
11 Indian tribe shall be not less than 95 percent of the
12 total amount needed to waive tuition and fees for all
13 eligible students enrolled in such community col-
14 leges.

15 “(b) STATE OR TRIBAL SHARE.—

16 “(1) FORMULA.—

17 “(A) IN GENERAL.—The State or tribal
18 share of a grant under this chapter for each fis-
19 cal year shall be the amount needed to pay 25
20 percent of the average community college resi-
21 dent tuition and fees per student in all States
22 in the 2019-2020 award year for all eligible stu-
23 dents in the State or Indian tribe, respectively,
24 for such fiscal year, except as provided in sub-
25 paragraph (B).

1 “(B) EXCEPTION FOR CERTAIN INDIAN
2 TRIBES.—In a case in which not less than 5
3 percent of the students at the community col-
4 leges operated or controlled by an Indian tribe
5 are low-income students, the amount of such
6 Indian tribe’s tribal share shall not exceed 5
7 percent of the total amount needed to waive tui-
8 tion and fees for all eligible students enrolled in
9 such community colleges.

10 “(2) NEED-BASED AID.—A State or Indian
11 tribe may include any need-based financial aid pro-
12 vided through State or tribal funds to eligible stu-
13 dents as part of the State or tribal share.

14 “(3) NO IN-KIND CONTRIBUTIONS.—A State or
15 Indian tribe shall not include in-kind contributions
16 for purposes of the State or tribal share described
17 in paragraph (1).

18 **“SEC. 420W. ELIGIBILITY.**

19 “To be eligible for a grant under this chapter, a State
20 or Indian tribe shall agree to waive community college
21 resident tuition and fees for all eligible students for each
22 year of the grant.

23 **“SEC. 420X. APPLICATIONS.**

24 “(a) SUBMISSION.—For each fiscal year for which a
25 State or Indian tribe desires a grant under this chapter,

1 an application shall be submitted to the Secretary at such
2 time, in such manner, and containing such information as
3 the Secretary may require. Such application shall be sub-
4 mitted by—

5 “(1) in the case of a State, the Governor, the
6 State agency with jurisdiction over higher education,
7 or another agency designated by the Governor to ad-
8 minister the program under this chapter; or

9 “(2) in the case of an Indian tribe, the gov-
10 erning body of such tribe.

11 “(b) CONTENTS.—Each State or Indian tribe appli-
12 cation shall include, at a minimum—

13 “(1) an estimate of the number of eligible stu-
14 dents in the State or Indian tribe and the cost of
15 waiving community college resident tuition and fees
16 for all eligible students for each fiscal year covered
17 by the grant, with annual increases of an amount
18 that shall not exceed 3 percent of the prior year’s
19 average resident community college tuition and fees;

20 “(2) an assurance that all community colleges
21 in the State or under the jurisdiction of the Indian
22 tribe, respectively, will waive resident tuition and
23 fees for eligible students in programs that are—

24 “(A) academic programs with credits that
25 can fully transfer via articulation agreement to—

1 ward a baccalaureate degree or postbaccalau-
2 reate degree at any public institution of higher
3 education in the State; or

4 “(B) occupational skills training programs
5 that lead to a recognized postsecondary creden-
6 tial that is in an in-demand industry sector or
7 occupation in the State;

8 “(3) a description of the promising and evi-
9 dence-based institutional reforms and innovative
10 practices to improve student outcomes, including
11 completion or transfer rates, that have been or will
12 be adopted by the participating community colleges,
13 such as—

14 “(A) providing comprehensive academic
15 and student support services, including men-
16 toring and advising, especially for low-income,
17 first-generation, adult, and other underrep-
18 resented students;

19 “(B) providing accelerated learning oppor-
20 tunities, such as dual or concurrent enrollment
21 programs, including early college high school
22 programs;

23 “(C) advancing competency-based edu-
24 cation;

1 “(D) strengthening remedial education, es-
2 pecially for low-income, first-generation, adult
3 and other underrepresented students;

4 “(E) implementing course redesigns of
5 high-enrollment courses to improve student out-
6 comes and reduce cost; or

7 “(F) utilizing career pathways or degree
8 pathways;

9 “(4) a description of how the State or Indian
10 tribe will promote alignment between its public sec-
11 ondary school and postsecondary education systems,
12 including between 2-year and 4-year public institu-
13 tions of higher education and with minority-serving
14 institutions described in section 371, to expand
15 awareness of and access to postsecondary education,
16 reduce the need for remediation and repeated
17 coursework, and improve student outcomes;

18 “(5) a description of how the State or Indian
19 tribe will ensure that programs leading to a recog-
20 nized postsecondary credential meet the quality cri-
21 teria established by the State under section 123(a)
22 of the Workforce Innovation and Opportunity Act
23 (29 U.S.C. 3153(a)) or other quality criteria deter-
24 mined appropriate by the State or Indian tribe;

1 “(6) an assurance that all participating commu-
2 nity colleges in the State or under the authority of
3 the Indian tribe have entered into program partici-
4 pation agreements under section 487; and

5 “(7) an assurance that, for each year of the
6 grant, the State or Indian tribe will notify each eligi-
7 ble student of the student’s remaining eligibility for
8 assistance under this chapter.

9 **“SEC. 420Y. ALLOWABLE USES OF FUNDS.**

10 “(a) IN GENERAL.—A State or Indian tribe shall use
11 a grant under this chapter only to provide funds to partici-
12 pating community colleges to waive resident tuition and
13 fees for eligible students who are enrolled in—

14 “(1) academic programs with credits that can
15 fully transfer via articulation agreement toward a
16 baccalaureate degree or postbaccalaureate degree at
17 any public institution of higher education in the
18 State; or

19 “(2) occupational skills training programs that
20 lead to a recognized postsecondary credential that is
21 in an in-demand industry sector or occupation in the
22 State.

23 “(b) ADDITIONAL USES.—If a State or Indian tribe
24 demonstrates to the Secretary that it has grant funds re-
25 maining after meeting the demand for activities described

1 in subsection (a), the State or Indian tribe may use those
2 funds to carry out one or more of the following:

3 “(1) Expanding the waiver of resident tuition
4 and fees at community college to students who are
5 returning students or otherwise not enrolling in
6 postsecondary education for the first time, and who
7 meet the student eligibility requirements of clauses
8 (i) through (v) of section 420Z(5)(A).

9 “(2) Expanding the scope and capacity of high-
10 quality academic and occupational skills training
11 programs at community colleges.

12 “(3) Improving postsecondary education readi-
13 ness in the State or Indian tribe, through outreach
14 and early intervention.

15 “(4) Expanding access to dual or concurrent
16 enrollment programs, including early college high
17 school programs.

18 “(5) Improving affordability at 4-year public in-
19 stitutions of higher education.

20 “(c) USE OF FUNDS FOR ADMINISTRATIVE PUR-
21 POSES.—A State or Indian tribe that receives a grant
22 under this chapter may not use any funds provided under
23 this chapter for administrative purposes relating to the
24 grant under this chapter.

1 “(d) MAINTENANCE OF EFFORT.—A State or Indian
2 tribe receiving a grant under this chapter is entitled to
3 receive its full allotment of funds under this chapter for
4 a fiscal year only if, for each year of the grant, the State
5 or Indian tribe provides financial support for public higher
6 education at a level equal to or exceeding the average
7 amount provided per full-time equivalent student for pub-
8 lic institutions of higher education for the 3 consecutive
9 preceding State or Indian tribe fiscal years. In making the
10 calculation under this subsection, the State or Indian tribe
11 shall exclude capital expenses and research and develop-
12 ment costs and include need-based financial aid for stu-
13 dents who attend public institutions of higher education.

14 “(e) ANNUAL REPORT.—

15 “(1) A State or Indian tribe receiving a grant
16 under this chapter shall submit an annual report to
17 the Secretary describing the uses of grant funds
18 under this chapter, the progress made in fulfilling
19 the requirements of the grant, and rates of gradua-
20 tion, transfer and attainment of recognized postsec-
21 ondary credentials at participating community col-
22 leges, and including any other information as the
23 Secretary may require.

24 “(2) At the discretion of the Secretary, the in-
25 formation required in the report under paragraph

1 (1) may be included in an annual report on higher
2 education required under this Act.

3 “(f) REPORTING BY SECRETARY.—The Secretary an-
4 nually shall—

5 “(1) compile and analyze the information de-
6 scribed in subsection (e); and

7 “(2) prepare and submit a report to the author-
8 izing committees containing the analysis described in
9 paragraph (1) and an identification of State and In-
10 dian tribe best practices for achieving the purpose of
11 this chapter.

12 “(g) TECHNICAL ASSISTANCE.—The Secretary shall
13 provide technical assistance to eligible States and Indian
14 tribes concerning best practices regarding the promising
15 and evidence-based institutional reforms and innovative
16 practices to improve student outcomes as described in sec-
17 tion 420X(b)(3) and shall disseminate such best practices
18 among the States and Indian tribes.

19 “(h) CONTINUATION OF FUNDING.—

20 “(1) IN GENERAL.—A State or Indian tribe re-
21 ceiving a grant under this chapter for a fiscal year
22 may continue to receive funding under this chapter
23 for future fiscal years conditioned on the availability
24 of budget authority and on meeting the require-
25 ments of the grant, as determined by the Secretary.

1 “(2) DISCONTINUATION.—The Secretary may
2 discontinue funding of the Federal share of a grant
3 under this chapter if the State or Indian tribe has
4 violated the terms of the grant or is not making ade-
5 quate progress in implementing the reforms de-
6 scribed in the application submitted under section
7 420X.

8 **“SEC. 420Z. DEFINITIONS.**

9 “In this chapter:

10 “(1) CAREER PATHWAY.—The term ‘career
11 pathway’ has the meaning given the term in section
12 3 of the Workforce Innovation and Opportunity Act
13 (29 U.S.C. 3102).

14 “(2) COMMUNITY COLLEGE.—The term ‘com-
15 munity college’ means a public institution of higher
16 education at which the highest degree that is pre-
17 dominantly awarded to students is an associate’s de-
18 gree, including 2-year tribally controlled colleges
19 under section 316 and public 2-year State institu-
20 tions of higher education.

21 “(3) DUAL OR CONCURRENT ENROLLMENT
22 PROGRAM.—The term ‘dual or concurrent enrollment
23 program’ has the meaning given the term in section
24 8101 of the Elementary and Secondary Education
25 Act of 1965 (20 U.S.C. 7801).

1 “(4) EARLY COLLEGE HIGH SCHOOL.—The
2 term ‘early college high school’ has the meaning
3 given the term in section 8101 of the Elementary
4 and Secondary Education Act of 1965 (20 U.S.C.
5 7801).

6 “(5) ELIGIBLE STUDENT.—

7 “(A) DEFINITION.—The term ‘eligible stu-
8 dent’ means a student who—

9 “(i)(I) enrolls in a community college
10 after the date of enactment of this sub-
11 part; or

12 “(II) is enrolled in a community col-
13 lege as of the date of enactment of this
14 subpart;

15 “(ii) attends the community college on
16 not less than a half-time basis;

17 “(iii) is maintaining satisfactory
18 progress, as defined in section 484(e), in
19 the student’s course of study;

20 “(iv) qualifies for resident tuition, as
21 determined by the State or Indian tribe;
22 and

23 “(v) is enrolled in an eligible program
24 described in section 420X(b)(2).

1 “(B) SPECIAL RULE.—An otherwise eligi-
2 ble student shall lose eligibility 3 calendar years
3 after first receiving benefits under this chapter.

4 “(6) IN-DEMAND INDUSTRY SECTOR OR OCCU-
5 PATION.—The term ‘in-demand industry sector or
6 occupation’ has the meaning given the term in sec-
7 tion 3 of the Workforce Innovation and Opportunity
8 Act (29 U.S.C. 3102).

9 “(7) INDIAN TRIBE.—The term ‘Indian tribe’
10 has the meaning given the term in section 102 of the
11 Federally Recognized Indian Tribe List Act of 1994
12 (25 U.S.C. 479a).

13 “(8) INSTITUTION OF HIGHER EDUCATION.—
14 The term ‘institution of higher education’ has the
15 meaning given the term in section 101.

16 “(9) RECOGNIZED POSTSECONDARY CREDEN-
17 TIAL.—The term ‘recognized postsecondary creden-
18 tial’ has the meaning as described in section 3 of the
19 Workforce Innovation and Opportunity Act (29
20 U.S.C. 3102).

21 “(10) SECRETARY.—The term ‘Secretary’
22 means the Secretary of Education.

23 “(11) STATE.—The term ‘State’ has the mean-
24 ing given the term in section 103.

1 **“SEC. 420AA. APPROPRIATIONS.**

2 “(a) AUTHORIZATION AND APPROPRIATIONS.—For
3 the purpose of making grants under this chapter, there
4 are authorized to be appropriated, and there are appro-
5 priated—

6 “(1) \$1,515,150,000 for fiscal year 2019;

7 “(2) \$3,352,200,000 for fiscal year 2020;

8 “(3) \$4,277,940,000 for fiscal year 2021;

9 “(4) \$5,988,450,000 for fiscal year 2022;

10 “(5) \$7,837,710,000 for fiscal year 2023;

11 “(6) \$8,974,350,000 for fiscal year 2024;

12 “(7) \$11,302,020,000 for fiscal year 2025;

13 “(8) \$14,451,090,000 for fiscal year 2026;

14 “(9) \$15,077,130,000 for fiscal year 2027; and

15 “(10) \$15,729,810,000 for fiscal year 2028 and

16 each succeeding fiscal year.

17 “(b) AVAILABILITY.—Funds appropriated under sub-
18 section (a) shall remain available to the Secretary until
19 expended.

20 “(c) INSUFFICIENT FUNDS.—If the amount appro-
21 priated under subsection (a) for a fiscal year is not suffi-
22 cient to award each participating State and Indian tribe
23 a grant under this chapter that is equal to the minimum
24 amount of the Federal share described in section 420V(a),
25 the Secretary may ratably reduce the amount of each such

1 grant or take other actions necessary to ensure an equi-
2 table distribution of such amount.

3 **“CHAPTER 2—GRANTS TO HISTORICALLY**
4 **BLACK COLLEGES AND UNIVERSITIES,**
5 **HISPANIC–SERVING INSTITUTIONS,**
6 **ASIAN AMERICAN AND NATIVE AMER-**
7 **ICAN PACIFIC ISLANDER–SERVING IN-**
8 **STITUTIONS, TRIBAL COLLEGES AND**
9 **UNIVERSITIES, ALASKA NATIVE–SERV-**
10 **ING INSTITUTIONS, NATIVE HAWAI-**
11 **IAN–SERVING INSTITUTIONS, PRE-**
12 **DOMINANTLY BLACK INSTITUTIONS,**
13 **AND NATIVE AMERICAN–SERVING**
14 **NONTRIBAL INSTITUTIONS**

15 **“SEC. 420BB. PATHWAYS TO STUDENT SUCCESS FOR HIS-**
16 **TORICALLY BLACK COLLEGES AND UNIVER-**
17 **SITIES.**

18 “(a) IN GENERAL.—From amounts appropriated
19 under section 420EE(a) for any fiscal year, the Secretary
20 shall award grants to participating 4-year historically
21 black colleges or universities that meet the requirements
22 of subsection (b) to—

23 “(1) encourage students to enroll and success-
24 fully complete a bachelor’s degree at participating
25 institutions;

1 “(2) provide incentives to community college
2 students to transfer to participating institutions
3 through strong transfer pathways to complete a
4 bachelor’s degree program; and

5 “(3) support participating institutions to better
6 serve new and existing students by engaging in re-
7 forms and innovations designed to improve comple-
8 tion rates and other student outcomes.

9 “(b) ELIGIBILITY.—To be eligible to receive a grant
10 under the program under this section, an institution shall
11 be a historically black college or university that—

12 “(1) has a student body of which not less than
13 35 percent are low-income students;

14 “(2) commits to maintaining or adopting and
15 implementing promising and evidence-based institu-
16 tional reforms and innovative practices to improve
17 the completion rates and other student outcomes,
18 such as—

19 “(A) providing comprehensive academic
20 and student support services, including men-
21 toring and advising;

22 “(B) providing accelerated learning oppor-
23 tunities and degree pathways, such as dual en-
24 rollment and pathways to graduate and profes-
25 sional degree programs;

1 “(C) advancing distance and competency-
2 based education;

3 “(D) partnering with employers, industry,
4 not-for-profit associations, and other groups to
5 provide opportunities to advance learning out-
6 side the classroom, including work-based learn-
7 ing opportunities such as internships or appren-
8 ticeships or programs designed to improve
9 inter-cultural development and personal growth,
10 such as foreign exchange and study abroad pro-
11 grams;

12 “(E) reforming remedial education, espe-
13 cially for low-income students, first generation
14 college students, adult students, and other
15 underrepresented students; or

16 “(F) implementing course redesigns of
17 high-enrollment courses to improve student out-
18 comes and reduce cost;

19 “(3) sets performance goals for improving stu-
20 dent outcomes for the duration of the grant; and

21 “(4) if receiving a grant for transfer students,
22 has articulation agreements with community colleges
23 at the national, State, or local level to ensure that
24 community college credits can fully transfer to the
25 participating institution.

1 “(c) GRANT AMOUNT.—

2 “(1) INITIAL AMOUNT.—For the first year that
3 an eligible institution participates in the grant pro-
4 gram under this section and subject to paragraph
5 (3), such eligible institution shall receive a grant in
6 an amount based on the product of—

7 “(A) the actual cost of tuition and fees at
8 the eligible institution in such year (referred to
9 in this section as the per-student rebate); multi-
10 plied by

11 “(B) the number of eligible students en-
12 rolled in the eligible institution for the pre-
13 ceding year.

14 “(2) SUBSEQUENT INCREASES.—For each suc-
15 ceeding year after the first year of the grant pro-
16 gram under this section, each participating eligible
17 institution shall receive a grant in the amount deter-
18 mined under paragraph (1) for such year, except
19 that in no case shall the amount of the per-student
20 rebate for an eligible institution increase by more
21 than 3 percent as compared to the amount of such
22 rebate for the preceding year.

23 “(3) LIMITATIONS.—

24 “(A) MAXIMUM PER-STUDENT REBATE.—

25 No eligible institution participating in the grant

1 program under this section shall receive a per-
2 student rebate amount for any year that is
3 greater than the national average of annual tui-
4 tion and fees at public 4-year institutions of
5 higher education for such year, as determined
6 by the Secretary.

7 “(B) FIRST YEAR TUITION AND FEES.—
8 During the first year of participation in the
9 grant program under this section, no eligible in-
10 stitution may increase tuition and fees at a rate
11 greater than any annual increase at the eligible
12 institution in the previous 5 years.

13 “(d) APPLICATION.—An eligible institution that de-
14 sires a grant under this section shall submit an application
15 to the Secretary at such time, in such manner, and con-
16 taining such information as the Secretary may require.

17 “(e) USE OF FUNDS.—Funds awarded under this
18 section to a participating eligible institution shall be used
19 to waive or significantly reduce tuition and fees for eligible
20 students in an amount of not more than up to the annual
21 per-student rebate amount for each student, for not more
22 than the first 60 credits an eligible student enrolls in the
23 participating eligible institution.

1 **“SEC. 420CC. PATHWAYS TO STUDENT SUCCESS FOR HIS-**
2 **PANIC-SERVING INSTITUTIONS, ASIAN AMER-**
3 **ICAN AND NATIVE AMERICAN PACIFIC IS-**
4 **LANDER-SERVING INSTITUTIONS, TRIBAL**
5 **COLLEGES AND UNIVERSITIES, ALASKA NA-**
6 **TIVE-SERVING INSTITUTIONS, NATIVE HAWAI-**
7 **IAN-SERVING INSTITUTIONS, PREDOMI-**
8 **NANTLY BLACK INSTITUTIONS, AND NATIVE**
9 **AMERICAN-SERVING NONTRIBAL INSTITU-**
10 **TIONS.**

11 “(a) IN GENERAL.—From amounts appropriated
12 under section 420EE(a) for any fiscal year, the Secretary
13 shall award grants to participating 4-year minority-serving
14 institutions to—

15 “(1) encourage students to enroll and success-
16 fully complete a bachelor’s degree at participating
17 institutions;

18 “(2) provide incentives to community college
19 students to transfer to participating institutions
20 through strong transfer pathways to complete a
21 bachelor’s degree program; and

22 “(3) support participating institutions to better
23 serve new and existing students by engaging in re-
24 forms and innovations designed to improve comple-
25 tion rates and other student outcomes.

1 “(b) INSTITUTIONAL ELIGIBILITY.—To be eligible to
2 participate and receive a grant under this section, an insti-
3 tution shall be a minority-serving institution that—

4 “(1) has a student body of which not less than
5 35 percent are low-income students;

6 “(2) commits to maintaining or adopting and
7 implementing promising and evidence-based institu-
8 tional reforms and innovative practices to improve
9 the completion rates and other student outcomes,
10 such as—

11 “(A) providing comprehensive academic
12 and student support services, including men-
13 toring and advising;

14 “(B) providing accelerated learning oppor-
15 tunities and degree pathways, such as dual en-
16 rollment and pathways to graduate and profes-
17 sional degree programs;

18 “(C) advancing distance and competency-
19 based education;

20 “(D) partnering with employers, industry,
21 not-for-profit associations, and other groups to
22 provide opportunities to advance learning out-
23 side the classroom, including work-based learn-
24 ing opportunities such as internships or appren-
25 ticeships or programs designed to improve

1 inter-cultural development and personal growth,
2 such as foreign exchange and study abroad pro-
3 grams;

4 “(E) reforming remedial education, espe-
5 cially for low-income students, first generation
6 college students, adult students, and other
7 underrepresented students; and

8 “(F) implementing course redesigns of
9 high-enrollment courses to improve student out-
10 comes and reduce cost;

11 “(3) sets performance goals for improving stu-
12 dent outcomes for the duration of the grant; and

13 “(4) if receiving a grant for transfer students,
14 has articulation agreements with community colleges
15 at the national, State, or local levels to ensure that
16 community college credits can fully transfer to the
17 participating institution.

18 “(c) GRANT AMOUNT.—

19 “(1) INITIAL AMOUNT.—For the first year that
20 an eligible institution participates in the grant pro-
21 gram under this section and subject to paragraph
22 (3), such participating eligible institution shall re-
23 ceive a grant in an amount based on the product
24 of—

1 “(A) the actual cost of tuition and fees at
2 the eligible institution in such year (referred to
3 in this section as the per-student rebate); multi-
4 plied by

5 “(B) the number of eligible students en-
6 rolled in the eligible institution for the pre-
7 ceding year.

8 “(2) SUBSEQUENT INCREASES.—For each suc-
9 ceeding year after the first year of the grant pro-
10 gram under this section, each participating eligible
11 institution shall receive a grant in the amount deter-
12 mined under paragraph (1) for such year, except
13 that in no case shall the amount of the per-student
14 rebate increase by more than 3 percent as compared
15 to the amount of such rebate for the preceding year.

16 “(3) LIMITATIONS.—

17 “(A) MAXIMUM PER-STUDENT REBATE.—
18 No eligible institution participating in the grant
19 program under this section shall receive a per-
20 student rebate amount for a grant year greater
21 than the national average of public four-year in-
22 stitutional tuition and fees, as determined by
23 the Secretary.

24 “(B) FIRST YEAR TUITION AND FEES.—
25 During the first year of participation in the

1 grant program under this section, no eligible in-
2 stitution may increase tuition and fees at a rate
3 greater than any annual increase made by the
4 institution in the previous 5 years.

5 “(d) APPLICATION.—An eligible institution shall sub-
6 mit an application to the Secretary at such time, in such
7 a manner, and containing such information as determined
8 by the Secretary.

9 “(e) USE OF FUNDS.—Funds awarded under this
10 section to a participating eligible institution shall be used
11 to waive or significantly reduce tuition and fees for eligible
12 students in an amount of not more than up to the annual
13 per-student rebate amount for each student, for not more
14 than the first 60 credits an eligible student enrolls in the
15 participating eligible institution.

16 **“SEC. 420DD. DEFINITIONS.**

17 “In this chapter:

18 “(1) ELIGIBLE STUDENT.—

19 “(A) DEFINITION.—The term ‘eligible stu-
20 dent’ means a student, regardless of age, who—

21 “(i)(I) enrolls in a historically black
22 college or university, or minority-serving
23 institution; or

1 “(II) transfers from a community col-
2 lege into a historically black college or uni-
3 versity, or minority-serving institution;

4 “(ii) attends the historically black col-
5 lege or university, or minority serving in-
6 stitution, on at least a half-time basis;

7 “(iii) maintains satisfactory academic
8 progress; and

9 “(iv) is a low-income student.

10 “(B) SPECIAL RULES.—

11 “(i) FIRST 3 YEARS.—An otherwise el-
12 igible student shall lose eligibility 3 cal-
13 endar years after first receiving benefits
14 under this chapter.

15 “(ii) SPECIAL RULE FOR CERTAIN
16 STUDENTS.—Notwithstanding subpara-
17 graph (A)(i), an otherwise eligible student
18 whose parent or guardian was denied a
19 Federal Direct PLUS loan under title IV
20 after November 2011 and before March
21 29, 2015, and who subsequently withdrew
22 from a historically black college or univer-
23 sity, or minority-serving institution, and
24 has not yet completed a program of study
25 at such historically black college or univer-

1 sity or minority-serving institution, shall be
2 eligible to participate under section 420BB
3 or 420CC in order to complete such pro-
4 gram of study, subject to all other require-
5 ments of section 420BB or 420CC (as the
6 case may be).

7 “(2) HISTORICALLY BLACK COLLEGE OR UNI-
8 VERSITY.—The term ‘historically black college or
9 university’ means a part B institution described in
10 section 322(2).

11 “(3) LOW-INCOME STUDENT.—The term ‘low-
12 income student’—

13 “(A) shall include any student eligible for
14 a Federal Pell Grant under section 401; and

15 “(B) may include a student ineligible for a
16 Federal Pell Grant under section 401 who is
17 determined by the institution to be a low-in-
18 come student based on an analysis of the stu-
19 dent’s ability to afford the cost of attendance at
20 the institution.

21 “(4) MINORITY-SERVING INSTITUTION.—The
22 term ‘minority-serving institution’ means any public
23 or not-for-profit institution of higher education—

24 “(A) described in paragraphs (2) through
25 (7) of section 371(a); and

1 “(B) designated as a minority-serving in-
2 stitution by the Secretary.

3 **“SEC. 420EE. APPROPRIATIONS.**

4 “(a) AUTHORIZATION AND APPROPRIATIONS FOR
5 HBCU AND MSI GRANTS.—For the purpose of carrying
6 out sections 420BB and 420CC, there are authorized to
7 be appropriated, and there are appropriated—

8 “(1) \$61,050,000 for fiscal year 2019;

9 “(2) \$199,800,000 for fiscal year 2020;

10 “(3) \$1,189,920,000 for fiscal year 2021;

11 “(4) \$1,237,650,000 for fiscal year 2022;

12 “(5) \$1,287,600,000 for fiscal year 2023;

13 “(6) \$1,338,660,000 for fiscal year 2024;

14 “(7) \$1,359,750,000 for fiscal year 2025;

15 “(8) \$1,449,660,000 for fiscal year 2026;

16 “(9) \$1,508,490,000 for fiscal year 2027; and

17 “(10) \$1,569,540,000 for fiscal year 2028 and
18 each succeeding fiscal year.

19 “(b) AVAILABILITY.—Funds appropriated under sub-
20 section (a) are to remain available to the Secretary until
21 expended.

22 “(c) INSUFFICIENT FUNDS.—If the amount appro-
23 priated under subsection (a) for a fiscal year is not suffi-
24 cient to award each participating institution in the grant
25 programs under sections 420BB and 420CC a grant

1 under this part equal to 100 percent of the grant amount
2 determined under section 420BB(c), the Secretary may
3 ratably reduce the amount of each such grant or take
4 other actions necessary to ensure an equitable distribution
5 of such amount.”.

