AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 4508
OFFERED BY MR. TAKANO OF CALIFORNIA AND
MR. KRISHNAMOORTHI OF ILLINOIS

Strike sections 101, 102, 104, 116, and 495.

Strike section 103 and insert the following:

SEC. 103. ADDITIONAL DEFINITIONS.

Section 103 (20 U.S.C. 1003) is amended by adding at the end the following:

“(25) FEDERAL EDUCATION ASSISTANCE.—The term ‘Federal education assistance’ means—

“(A) funds under title IV;

“(B) veteran education benefits;

“(C) military education and training benefits;

“(D) funds for training under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), including funds under title II of such Act (also known as the Adult Education and Family Literacy Act); and

“(E) funds under section 477 of the Social Security Act.”.
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Strike paragraphs (1) through (4) of section 112.

Strike section 481 and insert the following:

1 **SEC. 481. DEFINITIONS OF ACADEMIC YEAR AND ELIGIBLE PROGRAM.**

Section 481(b)(4) (20 U.S.C. 1088(b)(4)) is amended—

(1) by striking “(4) For purposes” and inserting the following:

“(4)(A) For purposes”; and by adding at the end the following:

“(B) If an eligible institution enters into a written arrangement with an institution or organization that is not an eligible institution under which such ineligible institution or organization provides an educational program (in whole or in part) of students enrolled in the eligible institution, the educational program provided by such ineligible institution shall be considered to be an eligible program if—

“(i) the ineligible institution has not—

“(I) had its eligibility to participate in the programs under this title terminated by the Secretary;
“(II) voluntarily withdrawn from participation in the programs under this title under a proceeding initiated by the Secretary, accrediting agency or association, guarantor, or a State licensing agency, including a termination, show-cause, or suspension;

“(III) had its certification under subpart 3 of part H to participate in the programs under this title revoked by the Secretary;

“(IV) had its application for re-certification under subpart 3 of part H to participate in the programs under this title denied by the Secretary; or

“(V) been convicted of a Federal crime or benefitted from an act for which a person acting to the benefit of the institution was convicted of a Federal crime; and

“(ii) the educational program offered by the institution that grants the degree or certificate otherwise satisfies the requirements of paragraph (1); and
“(iii)(I) the ineligible institution or organization provides 25 percent or less of the educational program; or

“(II)(aa) the ineligible institution or organization provides more than 25 percent of the educational program; and

“(bb) the eligible institution’s accrediting agency or association has determined that the eligible institution’s arrangement meets the agency’s standards for the contracting out of educational services in accordance with section 496(c)(5)(B)(iv).

“(C) For purposes of subparagraph (B)—

“(i) the term ‘eligible institution’ means an institution of higher education defined in section 101; and

“(ii) the term ‘ineligible institution or organization’ means an institution or organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code that does not—

“(I) identify as a religious institution or organization; or
“(II) have a religious mission or affiliation.”.

Strike section 485(2)(B).

Strike subsections (g), (h), and (l) of section 491.

Strike paragraphs (2), (4)(A)(ii), and (8) of section 496.

In section 496(10), strike “and (q)”.