

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

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

Strike section 103 and insert the following:

1 SEC. 103. ADDITIONAL DEFINITIONS.

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

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

6 “(A) funds under title IV;

7 “(B) veteran education benefits;

8 “(C) military education and training bene-
9 fits;

10 “(D) funds for training under the Work-
11 force Innovation and Opportunity Act (29
12 U.S.C. 3101 et seq.), including funds under
13 title II of such Act (also known as the Adult
14 Education and Family Literacy Act); and

15 “(E) funds under section 477 of the Social
16 Security Act.”.

Strike paragraphs (1) through (4) of section 112.

Strike section 481 and insert the following:

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

3 Section 481(b)(4) (20 U.S.C. 1088(b)(4)) is amend-
4 ed—

5 (1) by striking “(4) For purposes” and insert-
6 ing the following:

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

9 “(B) If an eligible institution enters into a
10 written arrangement with an institution or or-
11 ganization that is not an eligible institution
12 under which such ineligible institution or orga-
13 nization provides an educational program (in
14 whole or in part) of students enrolled in the eli-
15 gible institution, the educational program pro-
16 vided by such ineligible institution shall be con-
17 sidered to be an eligible program if—

18 “(i) the ineligible institution has
19 not—

20 “(I) had its eligibility to partici-
21 pate in the programs under this title
22 terminated by the Secretary;

1 “(II) voluntarily withdrawn from
2 participation in the programs under
3 this title under a proceeding initiated
4 by the Secretary, accrediting agency
5 or association, guarantor, or a State
6 licensing agency, including a termi-
7 nation, show-cause, or suspension;

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

12 “(IV) had its application for re-
13 certification under subpart 3 of part
14 H to participate in the programs
15 under this title denied by the Sec-
16 retary; or

17 “(V) been convicted of a Federal
18 crime or benefitted from an act for
19 which a person acting to the benefit of
20 the institution was convicted of a Fed-
21 eral crime; and

22 “(ii) the educational program offered
23 by the institution that grants the degree or
24 certificate otherwise satisfies the require-
25 ments of paragraph (1); and

1 “(iii)(I) the ineligible institution or or-
2 ganization provides 25 percent or less of
3 the educational program; or

4 “(II)(aa) the ineligible institution or
5 organization provides more than 25 per-
6 cent of the educational program; and

7 “(bb) the eligible institution’s accred-
8 iting agency or association has determined
9 that the eligible institution’s arrangement
10 meets the agency’s standards for the con-
11 tracting out of educational services in ac-
12 cordance with section 496(c)(5)(B)(iv).

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

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

17 “(ii) the term ‘ineligible institution or
18 organization’ means an institution or orga-
19 nization described in section 501(c)(3) of
20 the Internal Revenue Code of 1986 and ex-
21 empt from taxation under section 501(a)
22 of such Code that does not—

23 “(I) identify as a religious insti-
24 tution or organization; or

1 “(II) have a religious mission or
2 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)”.

