

117TH CONGRESS
2D SESSION

H. R. 9639

To require the Secretary of Education to report default and other data for each program of study of certain institutions of higher education for which the Secretary annually reports cohort default data under the Higher Education Act of 1965.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 20, 2022

Ms. VAN DUYNE introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To require the Secretary of Education to report default and other data for each program of study of certain institutions of higher education for which the Secretary annually reports cohort default data under the Higher Education Act of 1965.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Higher Standards for
5 Higher Education Act”.

1 **SEC. 2. COLLECTION AND REPORTING OF DEFAULT DATA**
2 **FOR CERTAIN PROGRAMS OF STUDY.**

3 Section 435(m)(4) of the Higher Education Act of
4 1965 (20 U.S.C. 1085(m)(4)) is amended by adding at
5 the end the following:

6 “(E) PROGRAM OF STUDY REPORTING RE-
7 QUIREMENTS.—

8 “(i) IN GENERAL.—Subject to clause
9 (ii), for each fiscal year beginning after the
10 date of enactment of the Higher Standards
11 for Higher Education Act, the Secretary
12 shall include in the annual report required
13 under subparagraph (C), for each covered
14 institution for which a cohort default rate
15 is calculated under this subsection for a
16 fiscal year, the following with respect each
17 program of study of such institution in
18 which one or more current and former stu-
19 dents at the institution who enter repay-
20 ment in that fiscal year on Federal Direct
21 Stafford Loans, Federal Direct PLUS
22 Loans, or Federal Direct Unsubsidized
23 Stafford Loans, received for attendance at
24 the institution, are enrolled (in the case of
25 a current student) or were most recently

1 enrolled prior to entering repayment (in
2 the case of a former student):

3 “(I) The number of those current
4 and former students who enter repay-
5 ment on such loans (or on the portion
6 of a Federal Direct Consolidation
7 Loan that is used to repay any such
8 loans) in that fiscal year.

9 “(II) Of the students identified
10 in subclause (I), the percentage who
11 default on any such loan before the
12 end of the second succeeding fiscal
13 year following the fiscal year in which
14 the students entered repayment.

15 “(III) Of such students, the per-
16 centage who are between 31 and 360
17 days delinquent on any such loan be-
18 fore the end of such second suc-
19 ceeding fiscal year.

20 “(IV) Of such students, the per-
21 centage who are in forbearance on any
22 such loan before the end of such sec-
23 ond succeeding fiscal year.

24 “(V) Of such students, the per-
25 centage who are in deferment on any

1 such loan before the end of such sec-
2 ond succeeding fiscal year.

3 “(VI) Of such students, the per-
4 centage who—

5 “(aa) have been making reg-
6 ular payments on such loans, but
7 for whom—

8 “(AA) on any day be-
9 fore the end of such second
10 succeeding fiscal year, the
11 sum of the outstanding bal-
12 ance due on such loans, ex-
13 ceeds

14 “(BB) the sum of the
15 outstanding balance due on
16 such loans on the date that
17 is one year preceding the
18 day in subitem (AA); and

19 “(bb) are not described in
20 subclauses (II) through (V).

21 “(VII) Of such students, the per-
22 centage who—

23 “(aa) have been making reg-
24 ular payments on such loans, and
25 for whom—

1 “(AA) on any day be-
2 fore the end of such second
3 succeeding fiscal year, the
4 sum of the outstanding bal-
5 ance due on such loans, is
6 less than

7 “(BB) the sum of the
8 outstanding balance due on
9 such loans on the date that
10 is one year preceding the
11 day in subitem (AA); and

12 “(bb) are not described in
13 subclauses (II) through (V).

14 “(VIII) Of such students, the
15 percentage who, before the end of
16 such second succeeding fiscal year—

17 “(aa) are making regular
18 payments on such loans, and for
19 whom—

20 “(AA) the sum of the
21 outstanding balance due on
22 such loans, is less than

23 “(BB) the sum of the
24 original balance due on such
25 loans; and

1 “(bb) are not described in
2 subclauses (II) through (V).

3 “(IX) Of such students, the per-
4 centage who have paid each such loan
5 in full before the end of such second
6 succeeding fiscal year.

7 “(X) Of such students, the per-
8 centage whose obligation to repay all
9 such loans has been discharged under
10 section 437 before the end of such
11 second succeeding fiscal year.

12 “(ii) EXCLUSION OF CERTAIN PRO-
13 GRAMS OF STUDY.—The Secretary shall
14 exclude under clause (i) information with
15 respect to any program of study if the
16 number of students (or former students) of
17 such program is insufficient to yield statis-
18 tically reliable information or the results
19 would reveal personally identifiable infor-
20 mation about an individual student (or
21 former student).

22 “(iii) DEFINITIONS.—In this subpara-
23 graph:

24 “(I) COVERED INSTITUTION.—
25 The term ‘covered institution’ means

1 an institution that is the beneficiary
2 of an endowment fund that has a
3 total value of not less than
4 \$1,000,000,000.

5 “(II) ENDOWMENT FUND.—The
6 term ‘endowment fund’ means a fund
7 established by State law, by an insti-
8 tution of higher education, or by a
9 foundation which is exempt from Fed-
10 eral income taxation and is main-
11 tained for the purpose of generating
12 income for the support of the institu-
13 tion, but which shall not include real
14 estate”.

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