

119TH CONGRESS
1ST SESSION

H. R. 266

To modify the Federal TRIO programs.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2025

Mr. DAVIDSON introduced the following bill; which was referred to the
Committee on Education and Workforce

A BILL

To modify the Federal TRIO programs.

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 “Educational Oppor-
5 tunity and Success Act of 2025”.

6 **SEC. 2. PROGRAM AUTHORITY AND AUTHORIZATION OF AP-**
7 **PROPRIATIONS FOR FEDERAL TRIO PRO-**
8 **GRAMS.**

9 (a) MINIMUM GRANTS.—Section 402A(b)(3) of the
10 Higher Education Act of 1965 (20 U.S.C. 1070a–
11 11(b)(3)) is amended—

1 (1) by striking “\$200,000” and inserting
2 “\$220,000”; and

3 (2) by striking “\$170,000” and inserting
4 “\$190,000”.

5 (b) PROCEDURES FOR AWARDING GRANTS AND CON-
6 TRACTS.—Section 402A(c) of the Higher Education Act
7 of 1965 (20 U.S.C. 1070a–11(c)) is amended—

8 (1) in paragraph (2)(A)—

9 (A) in the subparagraph heading, by strik-
10 ing “PRIOR EXPERIENCE” and inserting
11 “PRIOR SUCCESS”;

12 (B) in the first sentence, by striking “prior
13 experience of high quality service delivery” and
14 inserting “prior success in achieving high qual-
15 ity service delivery”; and

16 (C) in the second sentence—

17 (i) by striking “prior experience shall
18 not” and inserting “prior success in
19 achieving high quality service delivery shall
20 not”; and

21 (ii) by striking “shall not be given
22 prior experience consideration” and insert-
23 ing “shall not be given such consider-
24 ation”; and

(2) by striking paragraph (8) and inserting the following:

“(8) REVIEW AND NOTIFICATION BY THE SECRETARY.—

“(A) GUIDANCE.—Not less than 90 days before the commencement of each competition for a grant under this chapter, the Secretary shall issue nonregulatory guidance regarding the rights and responsibilities of applicants with respect to the application and evaluation process for programs and projects assisted under this chapter, including applicant access to peer review comments. The guidance shall describe the procedures for the submission, processing, and scoring of applications for grants under this chapter, including the information described in subparagraph (B).

“(B) TECHNICAL COMPONENTS OF APPLICATIONS.—

“(i) ESTABLISHMENT AND TREATMENT OF NONSUBSTANTIVE TECHNICAL COMPONENTS OF APPLICATIONS.—With respect to any competition for a grant under this chapter, the Secretary may only establish voluntary page limit and formatting

1 requirements for grant applications and
2 may not reject grant applications that do
3 not meet those voluntary requirements.
4 The Secretary may suggest page limits and
5 formatting standards (including with re-
6 spect to font size, font style, font type, line
7 spacing, paragraph justification, and page
8 margins), but may not use noncompliance
9 with these suggested requirements as a
10 basis to reject or penalize grant applica-
11 tions.

12 “(ii) IDENTIFICATION AND TREAT-
13 MENT OF TECHNICAL BUDGET ERRORS IN
14 APPLICATIONS.—

15 “(I) IN GENERAL.—With respect
16 to any competition for a grant under
17 this chapter, the Secretary may not
18 reject or penalize grant applications
19 on the basis of a typographical or
20 rounding error in a proposed budget
21 until the Secretary has given the ap-
22 plicant an opportunity for correction
23 in accordance with subclause (II).

24 “(II) NOTICE AND OPPORTUNITY
25 FOR CORRECTION.—The Secretary

1 shall provide notice and identification
2 of an error described in subclause (I)
3 by email and phone to the applicant
4 before awarding grants for each com-
5 petition. During a period of not fewer
6 than 14 days, the Secretary shall
7 allow the applicant to submit a re-
8 vised application that corrects the
9 identified error.

10 “(III) TREATMENT OF REVISED
11 APPLICATIONS.—The Secretary shall
12 treat the revised application in the
13 same manner as a timely submitted
14 application.

15 “(IV) FAILURE TO CORRECT.—If
16 an applicant has received a notice and
17 opportunity for correction of a typo-
18 graphical or rounding error in a pro-
19 posed budget in accordance with sub-
20 clause (II) and the applicant fails to
21 correct the error and submit a revised
22 application before the deadline de-
23 scribed in that subclause, the Sec-
24 retary may reject or penalize that
25 grant application.

“(C) REVIEW.—

“(i) REQUEST FOR REVIEW.—With respect to any competition for a grant under this chapter, an applicant may request a review if the applicant—

“(I) has evidence that a specific technical, administrative, or scoring error was made by the Department, an agent of the Department, or a peer reviewer, with respect to the scoring or processing of a submitted application; and

“(II) has otherwise met all of the requirements for submission of the application.

“(ii) ERROR MADE BY THE DEPARTMENT.—In the case of evidence of error by the Department or an agent of the Department, other than a peer reviewer, the Secretary shall review any evidence submitted by the applicant and provide a timely response to the applicant. If the Secretary determines that an error was made by the Department or an agent of the Department, other than a peer reviewer, the Sec-

retary shall correct the error and accordingly adjust the applicant score.

“(iii) ERROR MADE BY A PEER REVIEWER.—

“(I) IN GENERAL.—In the case of evidence of error by a peer reviewer, a secondary review panel shall automatically and promptly evaluate the application for consideration in the applicable grant competition upon receipt of a request by any such applicant. Examples of errors warranting secondary review may include—

“(aa) points withheld for criteria not required in statute, regulation, or guidance governing a program under this chapter or the application for a grant for such program; or

“(bb) information pertaining to selection criteria that was incorrectly determined to be missing from an application.

“(II) TIMELY REVIEW AND REPLACEMENT SCORE.—The secondary

1 review panel described in subclause (I)
2 shall conduct a secondary review in a
3 timely fashion, and the score resulting
4 from the secondary review shall re-
5 place the score from the initial peer
6 review.

7 “(III) COMPOSITION OF SEC-
8 ONDARY REVIEW PANEL.—The sec-
9 ondary review panel shall be composed
10 of reviewers each of whom—

11 “(aa) did not review the ap-
12 plication in the original peer re-
13 view;

14 “(bb) is a member of the co-
15 hort of peer reviewers for the
16 grant program that is the subject
17 of such secondary review; and

18 “(cc) to the extent prac-
19 ticable, has conducted peer re-
20 views in not less than 2 previous
21 competitions for the grant pro-
22 gram that is the subject of such
23 secondary review.

24 “(IV) FINAL SCORE.—The final
25 peer review score of an application

1 subject to a secondary review under
2 this clause shall promptly be adjusted
3 appropriately using the score awarded
4 by the secondary review panel, so as
5 not to interfere with the timely award-
6 ing of grants for the applicable grant
7 competition.

8 “(iv) FINALITY.—

9 “(I) IN GENERAL.—A determina-
10 tion by the Secretary under clause (ii)
11 shall not be reviewable by any officer
12 or employee of the Department other
13 than the Secretary.

14 “(II) SCORING.—The score
15 awarded by a secondary review panel
16 under clause (iii) shall not be review-
17 able by any officer or employee of the
18 Department other than the Secretary.

19 “(v) FUNDING OF APPLICATIONS
20 WITH CERTAIN ADJUSTED SCORES.—Appli-
21 cations with scores that are adjusted up-
22 ward under clause (ii) or (iii) that equal or
23 exceed the minimum cut-off score for the
24 applicable grant competition shall be fund-
25 ed by the Secretary using general or ad-

1 ministrative funds available to the Sec-
2 retary other than those funds appropriated
3 or allocated for the programs authorized
4 by this chapter.”.

5 (c) OUTREACH.—Section 402A(d)(3) of the Higher
6 Education Act of 1965 (20 U.S.C. 1070a–11(d)(3)) is
7 amended by adding at the end the following: “The Sec-
8 retary shall also host at least one virtual, interactive train-
9 ing using telecommunications technology to ensure that
10 interested applicants have access to technical assistance.”.

11 (d) DOCUMENTATION OF STATUS AS A LOW-INCOME
12 INDIVIDUAL.—Section 402A(e) of the Higher Education
13 Act of 1965 (20 U.S.C. 1070a–11(e)) is amended—

14 (1) in paragraph (1)—

15 (A) in subparagraph (C), by striking “or”
16 after the semicolon;

17 (B) in subparagraph (D), by striking the
18 period at the end and inserting a semicolon;
19 and

20 (C) by adding at the end the following:

21 “(E) documentation that the student has been
22 determined to be eligible for a Federal Pell Grant
23 under section 401; or

24 “(F) for grants authorized under section 402B
25 and 402F of this chapter, documentation that a stu-

1 dent is attending a school that had a percentage of
2 enrolled students who are identified students (as de-
3 fined in section 11(a)(1)(F)(i) of the Richard B.
4 Russell National School Lunch Act (42 U.S.C.
5 1759a(a)(1)(F)(i))) that meets or exceeds the
6 threshold described in section 11(a)(1)(F)(viii) of
7 that Act during the school year prior to the first
8 year of the period for which such grant is award-
9 ed.”; and

10 (2) in paragraph (2)—

11 (A) in subparagraph (C), by striking “or”
12 after the semicolon;

13 (B) in subparagraph (D), by striking the
14 period at the end and inserting a semicolon;
15 and

16 (C) by adding at the end the following:

17 “(E) documentation that the student has been
18 determined to be eligible for a Federal Pell Grant
19 under section 401; or

20 “(F) for grants authorized under section 402B
21 and 402F of this chapter, documentation that a stu-
22 dent is attending a school that had a percentage of
23 enrolled students who are identified students (as de-
24 fined in section 11(a)(1)(F)(i) of the Richard B.
25 Russell National School Lunch Act (42 U.S.C.

1 1759a(a)(1)(F)(i))) that meets or exceeds the
 2 threshold described in section 11(a)(1)(F)(viii) of
 3 that Act during the school year prior to the first
 4 year of the period for which such grant is award-
 5 ed.”.

6 (e) OUTCOME CRITERIA.—Section 402A(f) of the
 7 Higher Education Act of 1965 (20 U.S.C. 1070a–11(g))
 8 is amended—

9 (1) in paragraph (1)—

10 (A) in the paragraph heading, by striking
 11 “PRIOR EXPERIENCE” and inserting “PRIOR
 12 SUCCESS”;

13 (B) by striking “January 1, 2009” and in-
 14 serting “the date of enactment of the Edu-
 15 cational Opportunity and Success Act of 2025”;
 16 and

17 (C) by striking “prior experience of” and
 18 inserting “prior success in achieving”; and

19 (2) in paragraph (3)—

20 (A) in subparagraph (A)—

21 (i) in clause (iv), by striking “that will
 22 make such students eligible for programs
 23 such as the Academic Competitiveness
 24 Grants Program” and inserting “that in-
 25 cludes at least 4 years of mathematics, 3

1 years of science, and 2 years of a foreign
2 language”;

3 (ii) by redesignating clauses (v) and
4 (vi) as clauses (vi) and (vii), respectively;
5 and

6 (iii) by inserting after clause (iv), the
7 following:

8 “(v) the completion of financial aid
9 applications, including the Free Applica-
10 tion for Federal Student Aid described in
11 section 483(a) and college admissions ap-
12 plications;”;

13 (B) in subparagraph (B)—

14 (i) in the matter preceding clause (i),
15 by inserting “except in the case of pro-
16 grams that are specifically designed for
17 veterans,” after “402C”;

18 (ii) in clause (v), by striking “that will
19 make such students eligible for programs
20 such as the Academic Competitiveness
21 Grants Program” and inserting “that in-
22 cludes at least 4 years of mathematics, 3
23 years of science, and 2 years of a foreign
24 language”;

1 (iii) by redesignating clauses (vi) and
2 (vii) as clauses (vii) and (viii), respectively;
3 and

4 (iv) by inserting after clause (v), the
5 following:

6 “(vi) the completion of financial aid
7 applications, including the Free Applica-
8 tion for Federal Student Aid described in
9 section 483(a) and college admissions ap-
10 plications;”;

11 (C) by redesignating subparagraphs (C)
12 through (E) as subparagraphs (D) through (F),
13 respectively;

14 (D) by inserting after subparagraph (B)
15 the following:

16 “(C) For programs authorized under sec-
17 tion 402C that are specifically designed for vet-
18 erans, the extent to which the eligible entity
19 met or exceeded the entity’s objectives for such
20 program regarding—

21 “(i) the delivery of service to a total
22 number of students served by the program,
23 as agreed upon by the entity and the Sec-
24 retary for the period of the program;

1 “(ii) such students’ academic perform-
2 ance as measured by standardized tests;

3 “(iii) the retention and completion of
4 participants in the program;

5 “(iv) the provision of assistance to
6 students served by the program in com-
7 pleting financial aid applications, including
8 the Free Application for Federal Student
9 Aid described in section 483(a) and college
10 admission applications;

11 “(v) the enrollment of such students
12 in an institution of higher education; and

13 “(vi) to the extent practicable, the
14 postsecondary completion of such stu-
15 dents;”;

16 (E) in subparagraph (D), as redesignated
17 by subparagraph (C), by striking clause (ii) and
18 inserting the following:

19 “(ii)(I) in the case of an entity that is
20 an institution of higher education offering
21 a baccalaureate degree, the extent to which
22 the entity met or exceeded the entity’s ob-
23 jectives regarding the percentage of such
24 students’ completion of a baccalaureate de-
25 gree at any baccalaureate granting institu-

tion within 6 years of initial enrollment in
the project; or

“(II) in the case of an entity that is
an institution of higher education that does
not offer a baccalaureate degree, the extent
to which such students met or exceeded—

“(aa) the entity’s objective re-
garding the transfer of such students
to institutions of higher education
that offer baccalaureate degrees, re-
gardless of whether the transferring
student completes a degree or certifi-
cate; and

“(bb) the entity’s objective re-
garding the completion of a degree or
certificate by such students at the in-
stitution or any accredited institution
within 4 years of initial enrollment in
the project;”;

(F) by amending subparagraph (E), as re-
designated by subparagraph (C), to read as fol-
lows:

“(E) For programs authorized under sec-
tion 402E, the extent to which the entity met
or exceeded—

1 “(i) the entity’s objective regarding
2 the delivery of service to a total number of
3 students served by the program, as agreed
4 upon by the entity and the Secretary for
5 the period;

6 “(ii) the entity’s objective regarding
7 the provision of appropriate scholarly and
8 research activities for the students served
9 by the program;

10 “(iii) the entity’s objective regarding
11 the acceptance and enrollment of such stu-
12 dents in graduate programs within 2 years
13 of receiving the baccalaureate degree;

14 “(iv) the entity’s objective regarding
15 the continued enrollment of such students
16 in graduate study; and

17 “(v) the entity’s objective regarding
18 the attainment of doctoral degrees by
19 former program participants within 10
20 years of receiving the baccalaureate de-
21 gree.”; and

22 (G) in subparagraph (F), as redesignated
23 by subparagraph (C)—

1 (i) in clause (i), by inserting “within
2 2 years of participation in the program”
3 after “such diploma or equivalent”; and
4 (ii) in clause (ii), by inserting “or re-
5 enrollment” after “the enrollment”.

6 (f) AUTHORIZATION OF APPROPRIATIONS.—Section
7 402A(g) of the Higher Education Act of 1965 (20 U.S.C.
8 1070a–11(g)) is amended to read as follows:

9 “(g) AUTHORIZATION OF APPROPRIATIONS.—For the
10 purpose of making grants and contracts under this chap-
11 ter, there are authorized to be appropriated
12 \$1,100,000,000 for fiscal year 2025 and such sums as
13 may be necessary for each of the five succeeding fiscal
14 years. Of the amount appropriated under this chapter, the
15 Secretary may use no more than 1 percent of such amount
16 to obtain additional qualified readers and additional staff
17 to review applications, to increase the level of oversight
18 monitoring, to support impact studies, program assess-
19 ments, and reviews, and to provide technical assistance to
20 potential applicants and current grantees.”.

21 (g) DEFINITIONS.—Section 402A(h) of the Higher
22 Education Act of 1965 (20 U.S.C. 1070a–11(h)) is
23 amended by striking paragraph (4) and inserting the fol-
24 lowing:

1 “(4) LOW-INCOME INDIVIDUAL.—The term
2 ‘low-income individual’ means—

3 “(A) an individual from a family whose ad-
4 justable gross income for the preceding year did
5 not exceed 150 percent of an amount equal to
6 the poverty level determined by using criteria of
7 poverty established by the Bureau of the Cen-
8 sus;

9 “(B) an individual from a family whose ad-
10 justable gross income, as reported on the indi-
11 vidual’s most recently completed Free Applica-
12 tion for Federal Student Aid, did not exceed
13 150 percent of an amount equal to the poverty
14 level determined by using criteria of poverty es-
15 tablished by the Bureau of the Census for that
16 year;

17 “(C) an individual who has been deter-
18 mined to be eligible for a Federal Pell Grant
19 under section 401; or

20 “(D) for grants authorized under section
21 402B and 402F of this chapter, a student who
22 is attending a school that had a percentage of
23 enrolled students who are identified students
24 (as defined in section 11(a)(1)(F)(i) of the
25 Richard B. Russell National School Lunch Act

1 (42 U.S.C. 1759a(a)(1)(F)(i))) that meets or
 2 exceeds the threshold described in section
 3 11(a)(1)(F)(viii) of that Act during the school
 4 year prior to the first year of the period for
 5 which such grant is awarded.”.

6 **SEC. 3. UPWARD BOUND.**

7 Section 402C(f) of the Higher Education Act of 1965
 8 (20 U.S.C. 1070a–13(f)) is amended—

- 9 (1) by striking “\$60” and inserting “\$90”;
- 10 (2) by striking “\$300” and inserting “\$450”;
- 11 (3) by striking “\$40” and inserting “\$60”; and
- 12 (4) by adding at the end the following: “Adults
 13 participating in a project that is specifically designed
 14 for veterans under this section may be paid stipends
 15 not in excess of \$100 per month during the year.”.

16 **SEC. 4. POSTBACCALAUREATE ACHIEVEMENT PROGRAM**
 17 **AUTHORITY.**

18 Section 402E of the Higher Education Act of 1965
 19 (20 USC 1070a–15) is amended—

- 20 (1) in subsection (b)(2), by striking “summer
 21 internships” and inserting “internships or faculty-
 22 led research experiences”;
- 23 (2) in subsection (d)(4), by striking “summer
 24 research internships” and inserting “research intern-
 25 ships or faculty-led research experiences”; and

- 1 (3) in subsection (f)(1), by striking “\$2,800”
2 and inserting “\$4,000”.

○