

complete the FAFSA and hear back earlier.

The FAFSA was initially created to help open the doors and make college within reach for more students; but unfortunately, too often, it has grown unwieldy, and students are forced to make decisions about where they go and whether they go to college before even knowing how much aid they are scheduled to receive.

Under this legislation, students will be able to complete the FAFSA several months earlier than they do now—very important. And the bill also links data with the IRS data retrieval tool, so information can populate automatically in the FAFSA form. These changes alone will go a long way toward making the process for completing the FAFSA simpler and easier.

I am proud to have worked with Representatives POCAN, ROE of Tennessee, and HECK of Nevada to have introduced this bill, and I am very excited it is coming before the floor for a vote.

Now, this bill is important. It is a good, bipartisan first step, but it is one of many things that Congress needs to do to improve college access and the completion rate for students.

For example, allowing students to take college courses in high school could significantly reduce the overall price they pay for college. When a student takes dual enrollment courses, they are more likely to attend college and less likely to need remedial courses. We have high schools in my home State and in my district where students graduate high school with an associate's degree at essentially no cost to them, thanks to dual enrollment.

We also need to look at innovative learning models, like competency-based education, which allows students to progress through their degree based on what they know instead of seat time. This model provides a more flexible path to a degree. It could be higher quality, less expensive, and more challenging than a traditional program.

Another key part of reducing the cost of college is confronting the cost of materials. A student in Colorado spends an average of \$1,200 a year on textbooks alone. Open source textbooks, which are openly licensed and free to use, can eliminate that cost.

In order to address these ideas, reforms, and more, we need a comprehensive reauthorization of the Higher Education Act. A reauthorization will take Democrats and Republicans working together, just like we did on this bill, which is an important first step.

I am hopeful that, in the coming months, members of the Education and the Workforce Committee can begin to lay the groundwork for a reauthorization of the HEA that truly helps make college more affordable and meets the changing needs of a global economy.

Mr. POCAN. Mr. Speaker, I yield back the balance of my time.

Mr. HECK of Nevada. Mr. Speaker, I yield myself the balance of my time.

In closing, I thank, again, Representatives ROE of Tennessee, POLIS, and POCAN for their leadership in bringing this commonsense bill to the floor today. I thank all of our colleagues on the Education and the Workforce Committee for their work to strengthen the country's higher education system.

Too many individuals already think the dream of a higher education could never become a reality for them. Too many others are discouraged by a system that is too confusing, too bureaucratic, and too outdated. The Simplifying the Application for Student Aid Act and the other higher education bills on the floor today will deliver important reforms that Americans need. This bill will help students and parents better understand their postsecondary options and empower them to make timely financial decisions about their education.

I urge my colleagues to support this education.

I yield back the balance of my time. Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 5528 the "Simplifying the Application for Student Aid Act" which aims to strengthen, improve, and streamline student aid process.

Access to quality education is a key factor in securing a successful and bright future.

For many students and families, federal financial aid is the only means of making postsecondary education possible.

In times of economic adversity and uncertainty across the United States, the Simplifying the Application for Student Aid Act ensures that students and families are supported in realizing their education goals.

A student's application process starts when he or she submits the Free Application for Federal Student Aid (FAFSA).

Students who wish to enroll in fall classes are encouraged to begin applying for aid in January.

However, the FAFSA relies on income tax data from the previous year that is not readily available at the time students should start filling out their applications.

This flawed process results in significant delays in the submission of FAFSA forms, which leaves financial aid administrators little time to put together aid packages for incoming students.

More importantly, students do not learn in a timely manner what their financial aid packages will ultimately be, which makes it more difficult to plan for the cost of their education.

The current application runs 10 pages long and includes 108 questions on topics such as income, expenses, family size, and assets.

As part of an effort to reauthorize the Higher Education Act, the bipartisan legislation will help students make timely financial decisions about their education.

In addition this bill will allow students to use family income data from two years prior to the date of the FAFSA application.

Establishes a link between the online FAFSA form and income tax data stored by the Internal Revenue Service to automatically input income data into the FAFSA form, reducing the need to manually input information that often prevents low-income students from applying for aid.

And most importantly, strengthens the integrity of federal financial aid by providing institu-

tions more time to verify the income of their students.

As the country continues to work through some of the most difficult economic conditions in a generation, it is imperative that we increase our investment in education.

If we are truly going to compete against emerging nations like China and India, we must continue to invest in our education system.

I am proud to represent Houston, Texas which is home to several prestigious universities and dozens of community and technical colleges.

With such an emphasis on higher education, we have long been working to become a leader in producing workers for the 21st century economy.

This crucial legislation will build on the infrastructure already available in Houston and make higher education more affordable and accessible for everyone.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HECK) that the House suspend the rules and pass the bill, H.R. 5528, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1730

ACCESSING HIGHER EDUCATION OPPORTUNITIES ACT

Mr. HECK of Nevada. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5529) to amend the Higher Education Act of 1965 to authorize additional grant activities for Hispanic-serving institutions, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5529

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Accessing Higher Education Opportunities Act".

SEC. 2. AUTHORIZED GRANT ACTIVITIES.

Subsection (b) of section 503 of the Higher Education Act of 1965 (20 U.S.C. 1101b(b)) is amended—

(1) by redesignating paragraphs (7) through (16) as paragraphs (9) through (18), respectively; and

(2) by inserting after paragraph (6) the following:

"(7) Student support programs, which may include counseling, mentoring, and other support services, designed to facilitate the successful advancement of students from four-year institutions to postbaccalaureate doctoral degree granting programs that prepare students for health care occupations as such occupations are described in the most recent edition of the Occupational Outlook Handbook published by the Bureau of Labor Statistics.

"(8) Developing or expanding access to dual or concurrent enrollment programs and early college high school programs."

SEC. 3. FUNDING.

(a) AUTHORIZATIONS OF APPROPRIATIONS.—There are authorized to be appropriated to carry out part A of title V of the Higher Education Act of 1965 (20 U.S.C. 1101 et seq.), as amended by this Act, \$107,795,000 for fiscal year 2016.

(b) *ADDITIONAL EXTENSIONS NOT PERMITTED.*—Section 422 of the *General Education Provisions Act (20 U.S.C. 1226a)* shall not apply to further extend the duration of the authority under subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. HECK) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada.

GENERAL LEAVE

Mr. HECK of Nevada. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5529.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. HECK of Nevada. I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 5529, the Accessing Higher Education Opportunities Act.

Like many States, Nevada has a severe doctor shortage. While the number of patients is steadily increasing, there continues to be too few qualified healthcare providers to meet this growing demand for care. Additionally, according to the National Hispanic Medical Association, despite a continued rise in our country's Hispanic population, the number of physicians that identify as Hispanic is only 5 percent.

In an effort to help close this diversity gap, prepare more culturally competent healthcare providers, and address our Nation's doctor shortage, last year I joined with Congressman Dr. RAUL RUIZ from California to introduce H.R. 2927. That bill allowed Hispanic-Serving Institutions to utilize existing grant funds to create programs that support, encourage, and mentor prospective physicians as they navigate the necessary requirements to be accepted into medical school.

Congress originally created the Developing Hispanic-Serving Institutions program in 1992. This program helps promote education opportunities for Hispanic students and allows the institutions serving them to make improvements that increase the quality of the education they offer.

Today there are more than 400 HSIs across the country, and many other institutions are on the verge of becoming HSIs. In my State of Nevada, the College of Southern Nevada; University of Nevada, Las Vegas; and Nevada State College are among many other schools that either are or are on the verge of becoming an HSI. Additionally, the number of young Hispanic undergraduates enrolled full-time at a 2- or 4-year college has more than tripled in the past 23 years.

It is clear Hispanic students have greater access to education opportunities than they did before the Developing HSIs program was created. Still, as I mentioned before, the Hispanic

population remains underrepresented in various parts of the workforce, particularly in healthcare positions that require a doctoral-level degree.

After meeting with local healthcare and education leaders in Nevada and working with the chairman and other members of the committee to address this issue, I am happy to offer H.R. 5529, as amended, the Accessing Higher Education Opportunities Act, with Congressman HINOJOSA and Dr. RUIZ. H.R. 5529 expands on the bipartisan work of H.R. 2927 by allowing HSIs to use funds to support students to prepare them for healthcare-related doctoral programs.

Additionally, I want to thank Congressman HINOJOSA for joining me and Dr. RUIZ on this bill and adding an important provision that allows HSIs to work with local school districts to start or enhance dual enrollment opportunities in early college programs at high schools. These programs not only help students get into college, but they also enable students to earn college credits earlier in their academic career. As a strong supporter of dual enrollment programs, I want to thank Congressman HINOJOSA for strengthening the bill with this important provision.

Ultimately, this bill will help us address a growing doctor shortage and close the diversity gap among physicians by helping students at HSIs achieve the dream of a higher education. I urge my colleagues to support this bipartisan legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5529, the Accessing Higher Education Opportunities Act. I would like to thank the gentleman from Nevada (Mr. HECK) for bringing this bill forward.

Mr. Speaker, over the last 20 years, we have seen great growth in the number of Hispanic students attending institutions of higher education, particularly Hispanic-Serving Institutions, or HSIs.

In 1990, there were only 135 colleges and universities with a Hispanic population over 25 percent. Today there are more than 400. From 2012 to 2013, nearly 60 percent of Hispanic college students attended an HSI, and these institutions were responsible for graduating 40 percent of all Hispanics in the country. My district is home to two large Hispanic-Serving Institutions: The University of California-Riverside and Riverside City College.

Title V of the Higher Education Act supports critical resources for HSIs like these, improving their ability to promote student success. The bill we are considering today, H.R. 5529, allows title V grant funds to be used to expand access to dual or concurrent enrollment programs offered through HSIs. Dual and concurrent enrollment models, programs that allow high school students to take postsecondary

level courses for credit, can produce a number of benefits for students, particularly those from low-income backgrounds and first-generation college students.

Research shows that these programs increase high school completion, college enrollment, college persistence, and degree attainment. Furthermore, roughly 30 percent of dual and concurrent enrollment programs are career and technical education focused, which offers students the opportunity to earn credit toward a certificate or credential that prepares them for college and career success.

Unfortunately, tuition and classroom material costs remain a barrier to enrollment in these successful models for many low-income students. It is my hope that H.R. 5529 will expand access to these programs at Hispanic-Serving Institutions in my district and across the country. I urge my colleagues to support H.R. 5529.

Mr. Speaker, I reserve the balance of my time.

Mr. HECK of Nevada. Mr. Speaker, I continue to reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), who is also the ranking member of the Committee on Education and the Workforce.

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the bill, and I would like to say a few brief words about the package of higher education bills being considered today.

These bills will simplify the financial aid application process; they will help students make well-informed decisions when selecting a college and determining how to finance the education; and they will financially strengthen Historically Black Colleges and Universities. This bill expands access for high school students to dual and concurrent enrollment programs at Hispanic-Serving Institutions. Taken together, this package represents a step in the right direction for students and families.

A college degree remains the surest path out of poverty and into the middle class. Census data shows that earnings increase as the level of education increases. In other words, the more you learn, the more you earn. In addition to increased earnings, individuals with higher levels of education are less likely to be unemployed, less likely to receive public assistance, less likely to work in unskilled jobs with little upward mobility, and less likely to become involved in the criminal justice system.

The ability to attend college for many students is due in large part to the significant investment we have made in higher education through the Higher Education Act of 1965. As President Johnson said when he signed the HEA into law over 50 years ago: "It means that a high school senior, anywhere in this great land of ours, can

apply to any college or any university in any of the 50 States and not be turned away because his family is poor.”

HEA’s goal was, and still is, to provide a pathway to the middle class for millions of working families around the country by making college affordable and accessible to everyone. Unfortunately, the initial promise of HEA has eroded. For far too many of our students, the principles of access and economic opportunity are in jeopardy. The bills considered today take a major step in restoring the original purpose of the Higher Education Act so that no child will be denied access to the opportunities afforded by higher education because his family is poor.

Mr. HECK of Nevada. Mr. Speaker, I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I have no additional speakers, and I yield myself the balance of my time.

In closing, I would like to again thank the gentleman from Nevada (Mr. HECK), my friend, for bringing this bill forward. I would like to thank Chairman KLINE, Ranking Member SCOTT, and Mr. HINOJOSA, the ranking member of the Subcommittee on Higher Education and Workforce Training, for their work on this bill.

I urge all of my colleagues to support H.R. 5529.

Mr. Speaker, I yield back the balance of my time.

Mr. HECK of Nevada. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker, in closing, I want to underscore the purpose of this legislation. Yes, this bill will help us address a growing doctor shortage, and, yes, it will also help us close the diversity gap among physicians. But the Accessing Higher Education Opportunities Act, like a number of the bills on the floor today, is also about opportunity and helping students realize what they can achieve through higher education. This bipartisan bill will help more students obtain the knowledge and the skills they need to accomplish their goals and succeed in the workforce.

I want to thank both Dr. RUIZ and Representative HINOJOSA for their work in advancing these important reforms and for their continued leadership in helping more Americans pursue the dream of a higher education. I urge my colleagues to support this legislation.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H.R. 5529, the “Accessing Higher Education Opportunities Act,” which amends the Higher Education Act of 1965 to authorize additional grant activities for Hispanic-serving institutions.

At a time when American innovation and intellectual growth fundamentally depend on education, the accessibility of institutions of higher education is a critical concern in the struggle to maintain America’s role at the forefront of global innovation.

As a lifelong advocate of equal education opportunities for all students, I know the im-

portance of making higher education accessible across all demographics, and I know we can do better.

Without an honest effort to even the playing field for all students by ensuring that all students have the opportunity to extend their education as long as they can, America, as a country, stands to lose out on the brightest economic, academic, and political leaders of the future.

To that end, this measure emphasizes the importance of equality of opportunity for all students pursuing higher level education by urging the expansion of grant programs for Hispanic-serving educational institutions.

In particular, this measure amends the Higher Education Act of 1965 to specifically:

Support programs (which may include counseling, mentoring, and other support services) designed to facilitate the successful advancement of students from four-year institutions to post baccalaureate doctoral degree granting programs; and

Develop or expand access to dual or concurrent enrollment programs and early college high school programs.

Without this concrete measure to bolster support for Hispanic-serving institutions, institutions of higher education will fail to fulfill the American promise of equality of opportunity.

In particular, I am proud to represent institutions such as the Lone Star College and the University of Houston Downtown, institutions that will directly benefit from increased efforts to further support Hispanic-serving educational institutions.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HECK) that the House suspend the rules and pass the bill, H.R. 5529, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SEPARATION OF POWERS RESTORATION ACT OF 2016

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4768.

The SPEAKER pro tempore (Mr. HECK of Nevada). Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 796 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4768.

The Chair appoints the gentleman from Virginia (Mr. RIGELL) to preside over the Committee of the Whole.

□ 1742

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the

consideration of the bill (H.R. 4768) to amend title 5, United States Code, with respect to the judicial review of agency interpretations of statutory and regulatory provisions, with Mr. RIGELL in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Georgia (Mr. JOHNSON) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

The need for the Separation of Powers Restoration Act of 2016 to restore balance in our Federal system is clear. The modern Federal administrative state is an institution unforeseen by the Framers of our Constitution and rapidly mushrooming out of control.

This legislation takes square aim at one of the biggest roots of this problem, the Chevron Doctrine, under which Federal courts regularly defer to regulatory agencies’ self-serving and often politicized interpretations of the statutes they administer. This includes interpretations like those that underlie the EPA’s Clean Power Plan and waters of the United States rules. These are just a few examples of rules consciously designed by regulatory agencies to violate Congress’ intent. They threaten to wipe out the Nation’s key fuel for electric power generation and extend the EPA’s permitting tentacles into every puddle in every American backyard.

This bill also takes on the related Auer doctrine, under which courts defer to agencies’ self-serving interpretations of their own regulations. Auer and Chevron deference work hand in hand to expand the power of Federal bureaucrats to impose whatever decision they want as often as they can, escaping, whenever possible, meaningful checks and balances from the courts.

□ 1745

In perhaps the most famous of the Supreme Court’s earlier decisions, *Marbury v. Madison*, Chief Justice Marshall declared for a unanimous Court that “it is emphatically the province and duty of the Judicial Department to say what the law is.”

Since the Chevron doctrine allows judges to evade interpreting the law, and instead to defer to agencies’ interpretations, one must ask: Is Chevron faithful to *Marbury* and the separation of powers?

In the Administrative Procedure Act of 1946, often called the constitution of administrative law, Congress provided for judicial review of agency action in terms that were plain and direct. It stated that “the reviewing court shall decide all relevant questions of law and interpret constitutional and statutory provisions.”

That standard is consistent with *Marbury* and the separation of powers.