Public Law 107–157
107th Congress

An Act

To amend the District of Columbia College Access Act of 1999 to permit individuals who enroll in an institution of higher education more than 3 years after graduating from a secondary school and individuals who attend private historically black colleges and universities nationwide to participate in the tuition assistance programs under such Act, and for other purposes.

Apr. 4, 2002
[H.R. 1499]

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

District of Columbia College Access Improvement Act of 2002.

SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia College Access Improvement Act of 2002".

SEC. 2. PUBLIC SCHOOL PROGRAM.

Section 3(c)(2) of the District of Columbia College Access Act of 1999 (sec. 38–2702(c)(2), D.C. Official Code) is amended by striking subparagraphs (A) through (C) and inserting the following:

"(A)(i) in the case of an individual who begins an undergraduate course of study within 3 calendar years (excluding any period of service on active duty in the armed forces, or service under the Peace Corps Act (22 U.S.C. 2501 et seq.) or subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12571 et seq.)) of graduation from a secondary school, or obtaining the recognized equivalent of a secondary school diploma, was domiciled in the District of Columbia for not less than the 12 consecutive months preceding the commencement of the freshman year at an institution of higher education;

"(ii) in the case of an individual who graduated from a secondary school or received the recognized equivalent of a secondary school diploma before January 1, 1998, and is currently enrolled at an eligible institution as of the date of enactment of the District of Columbia College Access Improvement Act of 2002, was domiciled in the District of Columbia for not less than the 12 consecutive months preceding the commencement of the freshman year at an institution of higher education; or

"(iii) in the case of any other individual and an individual re-enrolling after more than a 3-year break in the individual's post-secondary education, has been domiciled in the District of Columbia for at least 5 consecutive years at the date of application;

"(B)(i) graduated from a secondary school or received the recognized equivalent of a secondary school diploma on or after January 1, 1998;

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"(ii) in the case of an individual who did not graduate from a secondary school or receive a recognized equivalent of a secondary school diploma, is accepted for enrollment as a freshman at an eligible institution on or after January 1, 2002; or

"(iii) in the case of an individual who graduated from a secondary school or received the recognized equivalent of a secondary school diploma before January 1, 1998, is currently enrolled at an eligible institution as of the date of enactment of the District of Columbia College Access Improvement Act of 2002;

"(C) meets the citizenship and immigration status requirements described in section 484(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1091(a)(5));".

SEC. 3. PRIVATE SCHOOL PROGRAM.

Section 5(c)(1)(B) of the District of Columbia College Access Act of 1999 (sec. 38–2704(c)(1)(B), D.C. Official Code) is amended by striking "the main campus of which is located in the State of Maryland or the Commonwealth of Virginia".

SEC. 4. GENERAL REQUIREMENTS.

Section 6 of the District of Columbia College Access Act of 1999 (sec. 38–2705, D.C. Official Code) is amended—

(1) by striking subsection (b) and inserting the following:

"(b) ADMINISTRATIVE EXPENSES.—

"(1) IN GENERAL.—The Mayor of the District of Columbia may not use more than 7 percent of the total amount of Federal funds appropriated for the program, retroactive to the date of enactment of this Act (the District of Columbia College Access Act of 1999), for the administrative expenses of the program.

"(2) DEFINITION.—In this subsection, the term 'administrative expenses' means any expenses that are not directly used to pay the cost of tuition and fees for eligible students to attend eligible institutions.";

(2) by redesignating subsections (e) and (f) as subsections (f) and (g);

(3) by inserting after subsection (d) the following:

"(e) LOCAL FUNDS.—It is the sense of Congress that the District of Columbia may appropriate such local funds as necessary for the programs under sections 3 and 5."; and

(4) by adding at the end the following:

"(h) DEDICATED ACCOUNT FOR PROGRAMS.—

"(1) ESTABLISHMENT.—The District of Columbia government shall establish a dedicated account for the programs under sections 3 and 5 consisting of the following amounts:

"(A) The Federal funds appropriated to carry out such programs under this Act or any other Act.

"(B) Any District of Columbia funds appropriated by the District of Columbia to carry out such programs.

"(C) Any unobligated balances in amounts made available for such programs in previous fiscal years.

"(D) Interest earned on balances of the dedicated account.

"(2) USE OF FUNDS.—Amounts in the dedicated account shall be used solely to carry out the programs under sections 3 and 5.".

SEC. 5. CONTINUATION OF CURRENT AGGREGATE LEVEL OF AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The District of Columbia College Access Act of 1999 (sec. 38–2701 et seq., D.C. Official Code) is amended by adding at the end the following new section:

"SEC. 7. LIMIT ON AGGREGATE AMOUNT OF FEDERAL FUNDS FOR PUBLIC SCHOOL AND PRIVATE SCHOOL PROGRAMS.

"The aggregate amount authorized to be appropriated to the District of Columbia for the programs under sections 3 and 5 for any fiscal year may not exceed—

"(1) $17,000,000, in the case of the aggregate amount for fiscal year 2003;

"(2) $17,000,000, in the case of the aggregate amount for fiscal year 2004; or

"(3) $17,000,000, in the case of the aggregate amount for fiscal year 2005.".

(b) CONFORMING AMENDMENTS.—

(1) PUBLIC SCHOOL PROGRAM.—Section 3(i) of such Act (sec. 38–2702(i), D.C. Official Code) is amended by striking "and such sums" and inserting "and (subject to section 7) such sums".

(2) PRIVATE SCHOOL PROGRAM.—Section 5(f) of such Act (sec. 38–2704(f), D.C. Official Code) is amended by striking "and such sums" and inserting "and (subject to section 7) such sums".

Approved April 4, 2002.

LEGISLATIVE HISTORY—H.R. 1499:

SENATE REPORTS: No. 107–101 (Comm. on Governmental Affairs).
CONGRESSIONAL RECORD:
Vol. 147 (2001): June 30, considered and passed House.
Dec. 12, considered and passed Senate, amended.
Vol. 148 (2002): Mar. 12, House concurred in Senate amendments with an amendment pursuant to H. Res. 364.
Mar. 14, Senate concurred in House amendment.