

**AMENDMENT TO**  
**RULES COMMITTEE PRINT 117-31**  
**OFFERED BY MR. LEVIN OF MICHIGAN**

At the end of title III of division J, add the following:

1 **SEC. 90305. ELIMINATING SHORT-TERM EDUCATION LOAN**  
2 **PROGRAMS; JOB TRAINING FEDERAL PELL**  
3 **GRANTS; TECHNICAL CORRECTIONS.**

4 (a) **ELIMINATING SHORT-TERM EDUCATION LOAN**  
5 **PROGRAMS.**—Section 481(b) of the Higher Education Act  
6 of 1965 (20 U.S.C. 1088(b)) is amended by adding at the  
7 end the following:

8 “(5) The Secretary shall eliminate the short-  
9 term education loan program, as authorized under  
10 paragraph (2), on the date that is 120 days after  
11 the date the Secretary establishes the application for  
12 Job Training Federal Pell Grants under section  
13 401(k).”.

14 (b) **TECHNICAL CORRECTIONS.**—Section 481(d) of  
15 the Higher Education Act of 1965 (20 U.S.C. 1088(d))  
16 is amended—

17 (1) in paragraph (4)—

1 (A) in subparagraph (A), by striking  
2 “under section 12301(a), 12301(g), 12302,  
3 12304, or 12306 of title 10, United States  
4 Code, or any retired member of an Armed  
5 Force ordered to active duty under section 688  
6 of such title,” and inserting “, or any retired  
7 member of an Armed Force ordered to active  
8 duty,”; and

9 (B) in subparagraph (B), by striking “an  
10 Armed Force” and inserting “a Uniformed  
11 Service”; and

12 (2) in paragraph (5), by striking “and sup-  
13 ported by Federal funds”.

14 (c) JOB TRAINING FEDERAL PELL GRANT PRO-  
15 GRAM.—

16 (1) IN GENERAL.—Section 401 of the Higher  
17 Education Act of 1965 (20 U.S.C. 1070a), as  
18 amended by section 703 of the FAFSA Simplifica-  
19 tion Act (title VII of division FF of Public Law  
20 116–260), is amended by adding at the end the fol-  
21 lowing:

22 “(k) JOB TRAINING FEDERAL PELL GRANT PRO-  
23 GRAM.—

24 “(1) DEFINITIONS.—In this subsection:

1           “(A) CAREER AND TECHNICAL EDU-  
2           CATION.—The term ‘career and technical edu-  
3           cation’ has the meaning given the term in sec-  
4           tion 3 of the Carl D. Perkins Career and Tech-  
5           nical Education Act.

6           “(B) ELIGIBLE JOB TRAINING PRO-  
7           GRAM.—

8                   “(i) IN GENERAL.—The term ‘eligible  
9                   job training program’ means a career and  
10                  technical education program at an eligible  
11                  institution of higher education that—

12                           “(I) provides not less than 150,  
13                           and not more than 600, clock hours of  
14                           instructional time over a period of not  
15                           less than 8 weeks and not more than  
16                           15 weeks;

17                           “(II) provides training aligned  
18                           with the requirements of high-skill,  
19                           high-wage, or in-demand industry sec-  
20                           tors or occupations in the State or  
21                           local area in which the job training  
22                           program is provided, as determined  
23                           by—

24                                   “(aa) a State board or local  
25                                   board;

1 “(bb) a State plan, as de-  
2 scribed in section 122(d)(13)(C)  
3 of the Carl D. Perkins Career  
4 and Technical Education Act of  
5 2006; or

6 “(cc) a comprehensive local  
7 needs assessment, as described in  
8 section 134(c) of the Carl D.  
9 Perkins Career and Technical  
10 Education Act of 2006;

11 “(III) is a program—

12 “(aa) provided through an  
13 eligible training provider, as de-  
14 scribed under section 122(d) of  
15 the Workforce Innovation and  
16 Opportunity Act; and

17 “(bb) subject to the report-  
18 ing requirements of section  
19 116(d)(4) of the Workforce Inno-  
20 vation and Opportunity Act, or  
21 would be subject to such require-  
22 ments except for a waiver issued  
23 to a State under section 189(i) of  
24 the Workforce Innovation and  
25 Opportunity Act;

1                   “(IV) provides a student, upon  
2 completion of the program, with a rec-  
3 ognized postsecondary credential that  
4 is stackable and portable across mul-  
5 tiple employers and geographical  
6 areas;

7                   “(V) not later than 1 year after  
8 the date the program has been ap-  
9 proved as an eligible job training pro-  
10 gram under this subsection, has dem-  
11 onstrated that students who complete  
12 the program receive a median increase  
13 of 20 percent of total earnings as  
14 compared to total earnings of such  
15 students prior to enrolling in such  
16 program, in accordance with para-  
17 graph (2);

18                   “(VI) publishes prominently on  
19 the website of the institution, and pro-  
20 vides a written disclosure to each pro-  
21 spective student prior to entering into  
22 an enrollment agreement for such pro-  
23 gram (which each such student shall  
24 confirm receiving through a written  
25 affirmation prior to entering such en-

1 rollment agreement) containing, at a  
2 minimum, the following information  
3 calculated, as applicable, in accord-  
4 ance with paragraph (8)—

5 “(aa) the required tuition  
6 and fees of the program;

7 “(bb) the difference between  
8 required tuition and fees de-  
9 scribed in item (aa) and any  
10 grant aid (which does not need to  
11 be repaid) provided to the stu-  
12 dent;

13 “(cc) the completion rate of  
14 the program;

15 “(dd) the employment rates  
16 of students who complete the  
17 program, measured at approxi-  
18 mately 6 months and 1 year, re-  
19 spectively, after completion of the  
20 program;

21 “(ee) total earnings of stu-  
22 dents who complete the program,  
23 calculated based on earnings ap-  
24 proximately 6 months after com-  
25 pletion of the program;

1                   “(ff) total earnings of stu-  
2                   dents who do not complete the  
3                   program, calculated based on  
4                   earnings approximately 6 months  
5                   after ceasing enrollment in the  
6                   program;

7                   “(gg) the ratio of the  
8                   amount that is the difference be-  
9                   tween required tuition and fees  
10                  and any grant aid provided to the  
11                  student described in item (bb) to  
12                  the total earnings of students de-  
13                  scribed in item (ee);

14                  “(hh) an explanation, in  
15                  clear and plain language that  
16                  shall be specified by the Sec-  
17                  retary, of the ratio described in  
18                  item (gg); and

19                  “(ii) in the case of a job  
20                  training program that prepares  
21                  students for a professional license  
22                  or certification exam, the share  
23                  of such students who pass such  
24                  exams;

1                   “(VII) has been determined by  
2                   the eligible institution of higher edu-  
3                   cation (after validation of that deter-  
4                   mination by an industry or sector  
5                   partnership or State board or local  
6                   board) to provide academic content,  
7                   an amount of instructional time, com-  
8                   petencies, and a recognized postsec-  
9                   ondary credential that are sufficient  
10                  to—

11                   “(aa) meet the hiring re-  
12                  quirements of potential employers  
13                  in the sectors or occupations de-  
14                  scribed in subclause (II); and

15                   “(bb) satisfy any applicable  
16                  educational prerequisite require-  
17                  ment for professional licensure or  
18                  certification, so that a student  
19                  who completes the program and  
20                  seeks employment is qualified to  
21                  take any relevant licensure or  
22                  certifications examinations that  
23                  are needed to practice or find  
24                  employment in such sectors or



1 occupations that the program  
2 prepares students to enter;

3 “(VIII) has been in operation for  
4 not less than 1 year prior to becoming  
5 an eligible job training program under  
6 this subsection;

7 “(IX) does not exceed by more  
8 than 50 percent the minimum number  
9 of clock hours required by a State to  
10 receive a professional license or cer-  
11 tification in the State, if the State has  
12 established such a requirement;

13 “(X) prepares students to pursue  
14 one or more related certificate or de-  
15 gree programs at an institution of  
16 higher education (as defined in section  
17 101) or a postsecondary vocational in-  
18 stitution (as defined in section  
19 102(c)), including—

20 “(aa) by ensuring the ac-  
21 ceptability of the credits received  
22 under the job training program  
23 toward meeting such certificate  
24 or degree program requirements  
25 (such as through an articulation

1 agreement as defined in section  
2 486A); and

3 “(bb) by ensuring that a  
4 student who completes noncredit  
5 coursework in the job training  
6 program, upon completion of the  
7 job training program and enroll-  
8 ment in such a related certificate  
9 or degree program, will receive  
10 academic credit for such non-  
11 credit coursework that will be ac-  
12 cepted toward meeting such cer-  
13 tificate or degree program re-  
14 quirements;

15 “(XI) is not offered exclusively  
16 through distance education or a cor-  
17 respondence course, except as deter-  
18 mined by the Secretary to be nec-  
19 essary, on a temporary basis, in con-  
20 nection with a—

21 “(aa) major disaster or  
22 emergency declared by the Presi-  
23 dent under section 401 or 501 of  
24 the Robert T. Stafford Disaster  
25 Relief and Emergency Assistance

1 Act (42 U.S.C. 5170 and 5191);

2 or

3 “(bb) national emergency  
4 declared by the President under  
5 section 201 of the National  
6 Emergencies Act (50 U.S.C.  
7 1601 et seq.);

8 “(XII) is provided not less than  
9 50 percent directly by the eligible in-  
10 stitution of higher education;

11 “(XIII) includes counseling for  
12 students to—

13 “(aa) support each such stu-  
14 dent in achieving the student’s  
15 education and career goals; and

16 “(bb) ensure that each such  
17 student receives information on—

18 “(AA) the sectors or oc-  
19 cupations described in sub-  
20 clause (II) for which the job  
21 training program provides  
22 training (including the total  
23 earnings of students who  
24 have completed the program  
25 and are employed in such

1 sectors or occupations, cal-  
2 culated based on earnings  
3 approximately 6 months  
4 after completion of the pro-  
5 gram));

6 “(BB) the related cer-  
7 tificate or degree programs  
8 described in subclause (X)  
9 for which the job training  
10 program provides prepara-  
11 tion; and

12 “(CC) other sources of  
13 financial aid or other assist-  
14 ance for any component of  
15 the student’s cost of attend-  
16 ance (as defined in section  
17 472);

18 “(XIV) meets requirements that  
19 are applicable to a program of train-  
20 ing to prepare students for gainful  
21 employment in a recognized occupa-  
22 tion;

23 “(XV) may include integrated  
24 education and training; and

1 “(XVI) may be offered as part of  
2 a program that—

3 “(aa) meets the require-  
4 ments of section 484(d)(2);

5 “(bb) is part of a career  
6 pathway, as defined in section 3  
7 of the Workforce Innovation and  
8 Opportunity Act; and

9 “(cc) is aligned to a pro-  
10 gram of study, as defined in sec-  
11 tion 3 of the Carl D. Perkins Ca-  
12 reer and Technical Education  
13 Act of 2006.

14 “(ii) APPROVAL BY THE SEC-  
15 RETARY.—In the case of a program that is  
16 seeking to establish initial eligibility as an  
17 eligible job training program under this  
18 subparagraph, the Secretary shall make a  
19 determination whether the program meets  
20 the requirements of this subparagraph not  
21 more than 120 days after the date on  
22 which such program is submitted for con-  
23 sideration as an eligible job training pro-  
24 gram. If the Secretary determines the pro-  
25 gram meets the requirements of this para-

1 graph, the Secretary shall grant an initial  
2 period of approval of 2 years.

3 “(iii) RENEWAL OF APPROVAL BY THE  
4 SECRETARY.—An eligible job training pro-  
5 gram that desires to continue eligibility as  
6 an eligible job training program after the  
7 period of initial approval described in  
8 clause (ii), or the subsequent period de-  
9 scribed in this clause, shall submit a re-  
10 newal application to the Secretary (with  
11 such information as the Secretary may re-  
12 quire), not more than 270 days and not  
13 less than 180 days before the end of the  
14 previous approval period. If the Secretary  
15 determines the program meets such re-  
16 quirements, the Secretary shall grant an-  
17 other period of approval for 3 years.

18 “(iv) PERIODIC REVIEW BY THE SEC-  
19 RETARY.—The Secretary shall periodically  
20 review a program previously approved  
21 under clause (ii) or (iii) to determine  
22 whether such program is meeting the re-  
23 quirements of an eligible job training pro-  
24 gram described in this subsection.

1                   “(v) REVOCATION OF APPROVAL BY  
2                   THE SECRETARY.—If at any time the Sec-  
3                   retary determines that a program pre-  
4                   viously approved under clause (ii) or (iii) is  
5                   no longer meeting any of the requirements  
6                   of an eligible job training program de-  
7                   scribed in this subsection, the Secretary—

8                   “(I) shall deny a subsequent re-  
9                   newal of approval in accordance with  
10                  clause (iii) for such program after the  
11                  expiration of the approval period;

12                  “(II) may withdraw approval for  
13                  such program before the expiration of  
14                  the approval period;

15                  “(III) shall ensure students who  
16                  enrolled in such programs have access  
17                  to transcripts for completed  
18                  coursework without a fee or monetary  
19                  charge and without regard to any bal-  
20                  ance owed to the institution; and

21                  “(IV) shall prohibit such pro-  
22                  gram and any substantially similar  
23                  program, from being considered an el-  
24                  igible job training described in this

1 subsection for a period of not less  
2 than 5 years.

3 “(vi) ADDITIONAL ASSURANCE BY  
4 STATE BOARD.—The Secretary shall not  
5 determine that a program is an eligible job  
6 training program in accordance with clause  
7 (ii) unless the Secretary receives a certifi-  
8 cation from the State board representing  
9 the State in which the eligible job training  
10 program is provided, containing an assur-  
11 ance that the program meets the require-  
12 ments of subclauses (II), (III), and (IX) of  
13 clause (i).

14 “(C) TOTAL EARNINGS.—For the purposes  
15 of this subsection, the term ‘total earnings’  
16 means the median annualized earnings, cal-  
17 culated using earnings for a pay period, month,  
18 quarter, or other time period deemed appro-  
19 priate by the Secretary.

20 “(D) ELIGIBLE INSTITUTION OF HIGHER  
21 EDUCATION.—For the purposes of this sub-  
22 section, the term ‘eligible institution of higher  
23 education’ means an institution of higher edu-  
24 cation (as defined in section 101) or a postsec-



1           ondary vocational institution (as defined in sec-  
2           tion 102(e)) that—

3                   “(i) is approved by an accrediting  
4                   agency or association that meets the re-  
5                   quirements of section 496(a)(4)(C);

6                   “(ii) has not been a proprietary insti-  
7                   tution of higher education, as defined in  
8                   section 102(b), within the previous 3 years;  
9                   and

10                   “(iii) has not been subject, during any  
11                   of the preceding 5 years, to—

12                           “(I) any suspension, emergency  
13                           action, or termination of programs  
14                           under this title;

15                           “(II) any adverse action by the  
16                           institution’s accrediting agency or as-  
17                           sociation; or

18                           “(III) any action by the State to  
19                           revoke a license or other authority to  
20                           operate.

21                   “(F) WIOA DEFINITIONS.—The terms ‘in-  
22                   dustry or sector partnership’, ‘in-demand indus-  
23                   try sector or occupation’, ‘recognized postsec-  
24                   ondary credential’, ‘local board’, and ‘State  
25                   board’ have the meanings given such terms in

1 section 3 of the Workforce Innovation and Op-  
2 portunity Act.

3 “(2) TOTAL EARNINGS INCREASE REQUIRE-  
4 MENT.—

5 “(A) IN GENERAL.—Subject to subpara-  
6 graph (B), as a condition of participation under  
7 this subsection, the Secretary shall, using the  
8 data collected under paragraph (8) and such  
9 other information as the Secretary may require,  
10 determine whether such job training program  
11 meets the requirements of paragraph  
12 (1)(B)(i)(V) with respect to whether the stu-  
13 dents who complete the program receive a me-  
14 dian increase of 20 percent of such students’  
15 total earnings. For the purposes of this para-  
16 graph, the Secretary shall determine such per-  
17 centage increase by calculating the difference  
18 between—

19 “(i) the total earnings of students who  
20 enroll in such program, calculated based  
21 on earnings approximately 6 months prior  
22 to enrollment; and

23 “(ii) the total earnings of students  
24 who complete such program, calculated

1 based on earnings approximately 6 months  
2 after completing such program.

3 “(B) DATE OF EFFECT.—The requirement  
4 under this paragraph shall take effect beginning  
5 on the date that is 1 year after the date the  
6 program has been approved as an eligible job  
7 training program under this subsection.

8 “(3) APPEAL OF EARNINGS INFORMATION.—  
9 The Secretary’s determination under paragraph (2)  
10 may include an appeals process to permit job train-  
11 ing programs to submit alternate earnings data  
12 (which may include discretionary earnings data or  
13 total earnings data), provided that such data are  
14 statistically rigorous, accurate, comparable, and rep-  
15 resentative of students who enroll in or complete the  
16 program, or both, as applicable.

17 “(4) AUTHORIZATION OF AWARDS.—For the  
18 award year beginning on July 1, 2024, and each  
19 subsequent award year, the Secretary shall award  
20 Federal Pell Grants to students in eligible job train-  
21 ing programs (referred to as a ‘job training Federal  
22 Pell Grant’). Each eligible job training Federal Pell  
23 Grant awarded under this subsection shall have the  
24 same terms and conditions, and be awarded in the  
25 same manner, as other Federal Pell Grants awarded

1 under subsection (b), except a student who is eligible  
2 to receive a job training Federal Pell Grant under  
3 this subsection is a student who—

4 “(A) has not yet attained a  
5 postbaccalaureate degree;

6 “(B) is enrolled, or accepted for enroll-  
7 ment, in an eligible job training program at an  
8 eligible institution of higher education; and

9 “(C) meets all other eligibility require-  
10 ments for a Federal Pell Grant (except with re-  
11 spect to the type of program of study, as pro-  
12 vided in subparagraph (B)).

13 “(5) AMOUNT OF AWARD.—The amount of a  
14 job training Federal Pell Grant for an eligible stu-  
15 dent shall be determined under subsection (b), ex-  
16 cept that a student who is eligible for less than the  
17 minimum Federal Pell Grant because the eligible job  
18 training program is less than an academic year (in  
19 clock-hours and weeks of instructional time) may  
20 still be eligible for a Federal Pell Grant.

21 “(6) INCLUSION IN TOTAL ELIGIBILITY PE-  
22 RIOD.—Any period during which a student receives  
23 a job training Federal Pell Grant under this sub-  
24 section shall be included in calculating the student’s  
25 period of eligibility for Federal Pell Grants under

1 subsection (d), and the eligibility requirements re-  
2 garding students who are enrolled in an under-  
3 graduate program on less than a full-time basis shall  
4 similarly apply to students who are enrolled in an el-  
5 igible job training program at an eligible institution  
6 of higher education on less than a full-time basis.

7 “(7) SAME PAYMENT PERIOD.—No student may  
8 for the same payment period receive both a job  
9 training Federal Pell Grant under this subsection  
10 and a Federal Pell Grant under this section.

11 “(8) INTERAGENCY DATA SHARING AND DATA  
12 COLLECTION.—

13 “(A) INTERAGENCY DATA SHARING.—The  
14 Secretary shall coordinate and enter into a data  
15 sharing agreement with the Secretary of Labor  
16 to ensure access to data necessary to implement  
17 this paragraph that is not otherwise available to  
18 the Secretary under section 132(l), as amended  
19 by section 90306 of the America COMPETES  
20 Act of 2022, including such data related to in-  
21 dicators of performance collected under section  
22 116 of the Workforce Innovation and Oppor-  
23 tunity Act (29 U.S.C. 3141).

24 “(B) DATA ON ELIGIBLE JOB TRAINING  
25 PROGRAMS.—Except as provided under sub-

1 paragraph (C), using the postsecondary student  
2 data system established under section 132(l) or  
3 a successor system (whichever includes the most  
4 recent data) to the greatest extent practicable  
5 to streamline reporting requirements and mini-  
6 mize reporting burdens, an in coordination with  
7 the National Center for Education Statistics,  
8 the Secretary of Labor, and each institution of  
9 higher education offering an eligible job train-  
10 ing program for which the Secretary awards job  
11 training Federal Pell Grants under this sub-  
12 section, the Secretary shall, on at least an an-  
13 nual basis, collect and publish data with respect  
14 to each such eligible job training program, in-  
15 cluding, at a minimum, the following:

16 “(i) The number and demographics of  
17 students who enroll in the program,  
18 disaggregated by—

19 “(I) gender;

20 “(II) race and ethnicity;

21 “(III) classification as a student  
22 with a disability;

23 “(IV) income quintile, as defined  
24 by the Secretary;

1                   “(V) military or veteran benefit  
2                   status;

3                   “(VI) status as a first-time stu-  
4                   dent or transfer student from another  
5                   institution;

6                   “(VII) status as a first genera-  
7                   tion college student;

8                   “(VIII) status as parent or  
9                   guardian of 1 or more dependent chil-  
10                  dren; and

11                  “(IX) status as a confined or in-  
12                  carcerated individual, as defined  
13                  under section 484(t)(1)(A).

14                  “(ii) The number and demographics,  
15                  disaggregated by the categories listed in  
16                  clause (i), of students who—

17                         “(I) complete the program; and

18                         “(II) do not complete the pro-  
19                         gram.

20                  “(iii) The required tuition and fees of  
21                  the program.

22                  “(iv) The total earnings of students,  
23                  disaggregated by the categories listed in  
24                  clause (i), who—

1                   “(I) complete the program, cal-  
2                   culated based on earnings approxi-  
3                   mately 6 months after completing  
4                   such program; and

5                   “(II) do not complete the pro-  
6                   gram, calculated based on earnings  
7                   approximately 6 months after ceasing  
8                   enrollment in such program.

9                   “(v) Outcomes of the students who  
10                  complete the program, disaggregated by  
11                  the categories listed in clause (i), with re-  
12                  spect to—

13                  “(I) the median time to comple-  
14                  tion among such students;

15                  “(II) the employment rates of  
16                  such students, measured at approxi-  
17                  mately 6 months and 1 year, respec-  
18                  tively, after completion of the eligible  
19                  job training program;

20                  “(III) in the case of a job train-  
21                  ing program that prepares students  
22                  for a professional license or certifi-  
23                  cation exam, the share of such stu-  
24                  dents who pass such exams;



1                   “(IV) the share of such students  
2                   who enroll in a certificate or degree  
3                   program at the institution of higher  
4                   education offering the eligible job  
5                   training program within 1 year of  
6                   completing such eligible job training  
7                   program;

8                   “(V) the share of such students  
9                   who transfer to another institution of  
10                  higher education within 1 year of  
11                  completing the eligible job training  
12                  program; and

13                  “(VI) the share of such students  
14                  who complete a subsequent certificate  
15                  or degree program at any institution  
16                  of higher education within 6 years of  
17                  completing the eligible job training  
18                  program.

19                  “(C) EXCEPTIONS.—Notwithstanding any  
20                  other provision of this paragraph—

21                  “(i) if disclosure of disaggregated  
22                  data under subparagraph (B) is prohibited  
23                  from disclosure due to applicable privacy  
24                  restrictions, the Secretary may take such  
25                  steps as the Secretary determines nec-

1           essary to provide meaningful disaggregated  
2           student demographic or outcome informa-  
3           tion, including by combining categories;  
4           and

5           “(ii) an institution may submit, and  
6           the Secretary may publish, data required  
7           to be collected under subparagraph (B)  
8           that is obtained through a State Unem-  
9           ployment Insurance Agency or through  
10          other supplemental means, in lieu of any  
11          additional data collection, provided that  
12          such data are statistically rigorous, accu-  
13          rate, comparable, and representative.

14          “(D) REPORT.—Not later than July 1,  
15          2025, the Secretary shall—

16                 “(i) submit to the Committee on  
17                 Health, Education, Labor, and Pensions of  
18                 the Senate and the Committee on Edu-  
19                 cation and Labor of the House of Rep-  
20                 resentatives a report on the impact of eligi-  
21                 ble job training programs for which the  
22                 Secretary awards job training Federal Pell  
23                 Grants under this subsection, based on the  
24                 most recent data collected under subpara-  
25                 graph (B); and

1                   “(ii) make the report described in  
2                   clause (i) available publicly on the website  
3                   of the Department.”.

4                   (2) PUBLICATION OF APPLICATION.—Not later  
5                   than 1 year after date of enactment of this Act, the  
6                   Secretary shall publish the application for job train-  
7                   ing programs to submit for approval as eligible job  
8                   training programs, as defined in subsection  
9                   (k)(1)(B) of section 401 of the Higher Education  
10                  Act of 1965 (20 U.S.C. 1070a), as added by para-  
11                  graph (1). The information required to determine  
12                  eligibility in such application shall be consistent with  
13                  the requirements described in such subsection  
14                  (k)(1)(B).

15                  (3) EFFECTIVE DATE.—The amendment made  
16                  by paragraph (1) shall take effect as if included in  
17                  section 703 of the FAFSA Simplification Act (title  
18                  VII of division FF of Public Law 116–260).

19                  (d) WORKFORCE INNOVATION AND OPPORTUNITY  
20                  ACT AMENDMENT.—Section 116(i) of the Workforce In-  
21                  novation and Opportunity Act (29 U.S.C. 3141(i)) is  
22                  amended by adding at the end the following:

23                         “(4) INTERAGENCY DATA SHARING FOR JOB  
24                         TRAINING FEDERAL PELL GRANT PROGRAM.—The  
25                         Secretary of Labor shall coordinate and enter into a

1 data sharing agreement with the Secretary of Edu-  
2 cation to ensure access to data necessary to imple-  
3 ment section 401(k) of the Higher Education Act of  
4 1965 (20 U.S.C. 1070a(k)), as added by section  
5 90305 of the America COMPETES Act of 2022,  
6 that is not otherwise available to the Secretary of  
7 Education under section 132(l) of the Higher Edu-  
8 cation Act of 1965 (20 U.S.C. 1015(l)), as amended  
9 by section 90306 of the America COMPETES Act  
10 of 2022, which may include data related to unem-  
11 ployment insurance, wage information, employment-  
12 related outcomes, and indicators of performance col-  
13 lected under this section.”.

14 (e) ACCREDITING AGENCY RECOGNITION OF ELIGI-  
15 BLE JOB TRAINING PROGRAMS.—Section 496(a)(4) of the  
16 Higher Education Act of 1965 (20 U.S.C. 1099b(a)(4))  
17 is amended—

18 (1) in subparagraph (A), by striking “and”  
19 after the semicolon;

20 (2) in subparagraph (B)(ii), by inserting “and”  
21 after the semicolon; and

22 (3) by adding at the end the following:

23 “(C) if such agency or association has or  
24 seeks to include within its scope of recognition  
25 the evaluation of the quality of institutions of

1 higher education participating in the job train-  
2 ing Federal Pell Grant program under section  
3 401(k), as added by the section 90305 of the  
4 America COMPETES Act of 2022, such agency  
5 or association shall, in addition to meeting the  
6 other requirements of this subpart, demonstrate  
7 to the Secretary that, with respect to such eligi-  
8 ble job training programs (as defined in that  
9 subsection)—

10 “(i) the agency or association’s stand-  
11 ards include a process for determining if  
12 the institution has the capability to effec-  
13 tively offer an eligible job training pro-  
14 gram; and

15 “(ii) the agency or association re-  
16 quires a demonstration that the program—

17 “(I) has identified each recog-  
18 nized postsecondary credential offered  
19 in the relevant industry in the State  
20 or local area where the industry is lo-  
21 cated; and

22 “(II) provides academic content,  
23 an amount of instructional time, and  
24 competencies to satisfy any applicable  
25 educational requirement for profes-

1                   sional licensure or certification, so  
2                   that a student who completes the pro-  
3                   gram and seeks employment is quali-  
4                   fied to take any licensure or certifi-  
5                   cation examination needed to practice  
6                   or find employment in the sectors or  
7                   occupations that the program pre-  
8                   pares students to enter.”.

9   **SEC. 90306. COLLEGE TRANSPARENCY.**

10           (a) POSTSECONDARY STUDENT DATA SYSTEM.—Sec-  
11   tion 132 of the Higher Education Act of 1965 (20 U.S.C.  
12   1015a) is amended—

13           (1) by redesignating subsection (l) as subsection  
14           (m); and

15           (2) by inserting after subsection (k) the fol-  
16           lowing:

17           “(1) POSTSECONDARY STUDENT DATA SYSTEM.—

18           “(1) IN GENERAL.—

19           “(A) ESTABLISHMENT OF SYSTEM.—Not  
20           later than 4 years after the date of enactment  
21           of the America COMPETES Act of 2022, the  
22           Commissioner of the National Center for Edu-  
23           cation Statistics (referred to in this subsection  
24           as the ‘Commissioner’) shall develop and main-

1           tain a secure, privacy-protected postsecondary  
2           student-level data system in order to—

3                   “(i) accurately evaluate student en-  
4                   rollment patterns, progression, completion,  
5                   and postcollegiate outcomes, and higher  
6                   education costs and financial aid;

7                   “(ii) assist with transparency, institu-  
8                   tional improvement, and analysis of Fed-  
9                   eral aid programs;

10                   “(iii) provide accurate, complete, and  
11                   customizable information for students and  
12                   families making decisions about postsec-  
13                   ondary education; and

14                   “(iv) reduce the reporting burden on  
15                   institutions of higher education, in accord-  
16                   ance with section 90306(d) of America  
17                   COMPETES Act of 2022.

18                   “(B) AVOIDING DUPLICATED REPORT-  
19                   ING.—Notwithstanding any other provision of  
20                   this section, to the extent that another provi-  
21                   sion of this section requires the same reporting  
22                   or collection of data that is required under this  
23                   subsection, an institution of higher education,  
24                   or the Secretary or Commissioner, may use the  
25                   reporting or data required for the postsec-

1           ondary student data system under this sub-  
2           section to satisfy both requirements.

3           “(C) DEVELOPMENT PROCESS.—In devel-  
4           oping the postsecondary student data system  
5           described in this subsection, the Commissioner  
6           shall—

7                   “(i) focus on the needs of—

8                           “(I) users of the data system;  
9                           and

10                           “(II) entities, including institu-  
11                           tions of higher education, reporting to  
12                           the data system;

13                           “(ii) take into consideration, to the  
14                           extent practicable—

15                                   “(I) the guidelines outlined in the  
16                                   U.S. Web Design Standards main-  
17                                   tained by the General Services Admin-  
18                                   istration and the Digital Services  
19                                   Playbook and TechFAR Handbook for  
20                                   Procuring Digital Services Using  
21                                   Agile Processes of the U.S. Digital  
22                                   Service; and

23                                   “(II) the relevant successor docu-  
24                                   ments or recommendations of such  
25                                   guidelines;



1           “(iii) use modern, relevant privacy-  
2           and security-enhancing technology, and en-  
3           hance and update the data system as nec-  
4           essary to carry out the purpose of this sub-  
5           section;

6           “(iv) ensure data privacy and security  
7           is consistent with any Federal law relating  
8           to privacy or data security, including—

9                   “(I) the requirements of sub-  
10                  chapter II of chapter 35 of title 44,  
11                  United States Code, specifying secu-  
12                  rity categorization under the Federal  
13                  Information Processing Standards or  
14                  any relevant successor of such stand-  
15                  ards;

16                   “(II) security requirements that  
17                  are consistent with the Federal agency  
18                  responsibilities in section 3554 of title  
19                  44, United States Code, or any rel-  
20                  evant successor of such responsibil-  
21                  ities; and

22                   “(III) security requirements,  
23                  guidelines, and controls consistent  
24                  with cybersecurity standards and best  
25                  practices developed by the National

1 Institute of Standards and Tech-  
2 nology, including frameworks, con-  
3 sistent with section 2(c) of the Na-  
4 tional Institute of Standards and  
5 Technology Act (15 U.S.C. 272(c)), or  
6 any relevant successor of such frame-  
7 works;

8 “(v) follow Federal data minimization  
9 practices to ensure only the minimum  
10 amount of data is collected to meet the  
11 system’s goals, in accordance with Federal  
12 data minimization standards and guide-  
13 lines developed by the National Institute of  
14 Standards and Technology; and

15 “(vi) provide notice to students out-  
16 lining the data included in the system and  
17 how the data are used.

18 “(2) DATA ELEMENTS.—

19 “(A) IN GENERAL.—Not later than 4 years  
20 after the date of enactment of the America  
21 COMPETES Act of 2022, the Commissioner,  
22 in consultation with the Postsecondary Student  
23 Data System Advisory Committee established  
24 under subparagraph (B), shall determine—

1 “(i) the data elements to be included  
2 in the postsecondary student data system,  
3 in accordance with subparagraphs (C) and  
4 (D); and

5 “(ii) how to include the data elements  
6 required under subparagraph (C), and any  
7 additional data elements selected under  
8 subparagraph (D), in the postsecondary  
9 student data system.

10 “(B) POSTSECONDARY STUDENT DATA  
11 SYSTEM ADVISORY COMMITTEE.—

12 “(i) ESTABLISHMENT.—Not later  
13 than 2 years after the date of enactment  
14 of the America COMPETES Act of 2022,  
15 the Commissioner shall establish a Postsec-  
16 ondary Student Data System Advisory  
17 Committee (referred to in this subsection  
18 as the ‘Advisory Committee’), whose mem-  
19 bers shall include—

20 “(I) the Chief Privacy Officer of  
21 the Department or an official of the  
22 Department delegated the duties of  
23 overseeing data privacy at the Depart-  
24 ment;

1                   “(II) the Chief Security Officer  
2 of the Department or an official of  
3 the Department delegated the duties  
4 of overseeing data security at the De-  
5 partment;

6                   “(III) representatives of diverse  
7 institutions of higher education, which  
8 shall include equal representation be-  
9 tween 2-year and 4-year institutions  
10 of higher education, and from public,  
11 nonprofit, and proprietary institutions  
12 of higher education, including minor-  
13 ity-serving institutions;

14                   “(IV) representatives from State  
15 higher education agencies, entities,  
16 bodies, or boards;

17                   “(V) representatives of postsec-  
18 ondary students;

19                   “(VI) representatives from rel-  
20 evant Federal agencies; and

21                   “(VII) other stakeholders (in-  
22 cluding individuals with expertise in  
23 data privacy and security, consumer  
24 protection, and postsecondary edu-  
25 cation research).

1                   “(ii) REQUIREMENTS.—The Commis-  
2                   sioner shall ensure that the Advisory Com-  
3                   mittee—

4                   “(I) adheres to all requirements  
5                   under the Federal Advisory Com-  
6                   mittee Act (5 U.S.C. App.);

7                   “(II) establishes operating and  
8                   meeting procedures and guidelines  
9                   necessary to execute its advisory du-  
10                  ties; and

11                  “(III) is provided with appro-  
12                  priate staffing and resources to exe-  
13                  cute its advisory duties.

14                  “(C) REQUIRED DATA ELEMENTS.—The  
15                  data elements in the postsecondary student  
16                  data system shall include, at a minimum, the  
17                  following:

18                  “(i) Student-level data elements nec-  
19                  essary to calculate the information within  
20                  the surveys designated by the Commis-  
21                  sioner as ‘student-related surveys’ in the  
22                  Integrated Postsecondary Education Data  
23                  System (IPEDS), as such surveys are in  
24                  effect on the day before the date of enact-  
25                  ment of the America COMPETES Act of

1                   2022, except that in the case that collec-  
2                   tion of such elements would conflict with  
3                   subparagraph (F), such elements in con-  
4                   flict with subparagraph (F) shall be in-  
5                   cluded in the aggregate instead of at the  
6                   student level.

7                   “(ii) Student-level data elements nec-  
8                   essary to allow for reporting student en-  
9                   rollment, persistence, retention, transfer,  
10                  and completion measures for all credential  
11                  levels separately (including certificate, as-  
12                  sociate, baccalaureate, and advanced de-  
13                  gree levels), within and across institutions  
14                  of higher education (including across all  
15                  categories of institution level, control, and  
16                  predominant degree awarded). The data  
17                  elements shall allow for reporting about all  
18                  such data disaggregated by the following  
19                  categories:

20                         “(I) Enrollment status as a first-  
21                         time student, recent transfer student,  
22                         or other non-first-time student.

23                         “(II) Attendance intensity,  
24                         whether full-time or part-time.

1                   “(III) Credential-seeking status,  
2                   by credential level.

3                   “(IV) Race or ethnicity, in a  
4                   manner that captures all the racial  
5                   groups specified in the most recent  
6                   American Community Survey of the  
7                   Bureau of the Census.

8                   “(V) Age intervals.

9                   “(VI) Gender.

10                  “(VII) Program of study (as ap-  
11                  plicable).

12                  “(VIII) Military or veteran ben-  
13                  efit status (as determined based on  
14                  receipt of veteran’s education benefits,  
15                  as defined in section 480(c)).

16                  “(IX) Status as a distance edu-  
17                  cation student, whether exclusively or  
18                  partially enrolled in distance edu-  
19                  cation.

20                  “(X) Federal Pell Grant recipient  
21                  status under section 401 and Federal  
22                  loan recipient status under title IV,  
23                  provided that the collection of such in-  
24                  formation complies with paragraph  
25                  (1)(B).

1 “(D) OTHER DATA ELEMENTS.—

2 “(i) IN GENERAL.—The Commissioner  
3 may, after consultation with the Advisory  
4 Committee and provision of a public com-  
5 ment period, include additional data ele-  
6 ments in the postsecondary student data  
7 system, such as those described in clause  
8 (ii), if those data elements—

9 “(I) are necessary to ensure that  
10 the postsecondary data system fulfills  
11 the purposes described in paragraph  
12 (1)(A); and

13 “(II) are consistent with data  
14 minimization principles, including the  
15 collection of only those additional ele-  
16 ments that are necessary to ensure  
17 such purposes.

18 “(ii) DATA ELEMENTS.—The data ele-  
19 ments described in clause (i) may in-  
20 clude—

21 “(I) status as a first generation  
22 college student, as defined in section  
23 402A(h);

24 “(II) economic status;



1                   “(III) participation in postsec-  
2                   ondary remedial coursework or gate-  
3                   way course completion;

4                   “(IV) classification as a student  
5                   with a disability;

6                   “(V) status as parent or guard-  
7                   ian of 1 or more dependent children;

8                   “(VI) status as a confined or in-  
9                   carcerated individual, as defined  
10                  under section 484(t)(1)(A), as amend-  
11                  ed by section 702 of the FAFSA Sim-  
12                  plification Act FAFSA (title VII of di-  
13                  vision FF of Public Law 116–260); or

14                  “(VII) other data elements that  
15                  are necessary in accordance with  
16                  clause (i).

17                  “(E) REEVALUATION.—Not less than once  
18                  every 3 years after the implementation of the  
19                  postsecondary student data system described in  
20                  this subsection, the Commissioner, in consulta-  
21                  tion with the Advisory Committee described in  
22                  subparagraph (B), shall review the data ele-  
23                  ments included in the postsecondary student  
24                  data system and may revise the data elements  
25                  to be included in such system.

1           “(F) PROHIBITIONS.—The Commissioner  
2           shall not include individual health data (includ-  
3           ing data relating to physical health or mental  
4           health), student discipline records or data, ele-  
5           mentary and secondary education data, an  
6           exact address, citizenship status, migrant sta-  
7           tus, or national origin status for students or  
8           their families, course grades, postsecondary en-  
9           trance examination results, political affiliation,  
10          or religion in the postsecondary student data  
11          system under this subsection.

12          “(3) PERIODIC MATCHING WITH OTHER FED-  
13          ERAL DATA SYSTEMS.—

14                 “(A) DATA SHARING AGREEMENTS.—

15                         “(i) The Commissioner shall ensure  
16                         secure, periodic data matches by entering  
17                         into data sharing agreements with each of  
18                         the following Federal agencies and offices:

19                                 “(I) The Secretary of Defense, in  
20                                 order to assess the use of postsec-  
21                                 ondary educational benefits and the  
22                                 outcomes of servicemembers.

23                                 “(II) The Director of the Bureau  
24                                 of the Census, in order to assess the

1 earnings outcomes of former postsec-  
2 ondary education students.

3 “(III) The Chief Operating Offi-  
4 cer of the Office of Federal Student  
5 Aid, in order to analyze the use of  
6 postsecondary educational benefits  
7 provided under this Act.

8 “(IV) The Commissioner of the  
9 Social Security Administration, in  
10 order to evaluate labor market out-  
11 comes of former postsecondary edu-  
12 cation students.

13 “(V) The Commissioner of the  
14 Bureau of Labor Statistics, in order  
15 to assess the wages of former postsec-  
16 ondary education students.

17 “(ii) The Commissioner may ensure  
18 secure, periodic data matches by entering  
19 into data sharing agreements with the Sec-  
20 retary of Veterans Affairs.

21 “(iii) The heads of Federal agencies  
22 and offices described under clause (i) shall  
23 enter into data sharing agreements with  
24 the Commissioner to ensure secure, peri-

1           odic data matches as described in this  
2           paragraph.

3           “(B) CATEGORIES OF DATA.—The Com-  
4           missioner shall, at a minimum, seek to ensure  
5           that the secure periodic data system matches  
6           described in subparagraph (A) permit con-  
7           sistent reporting of the following categories of  
8           data for all postsecondary students:

9                   “(i) Enrollment, retention, transfer,  
10                   and completion outcomes for all postsec-  
11                   ondary students.

12                   “(ii) Financial indicators for postsec-  
13                   ondary students receiving Federal grants  
14                   and loans, including grant and loan aid by  
15                   source, cumulative student debt, loan re-  
16                   payment status, and repayment plan.

17                   “(iii) Post-completion outcomes for all  
18                   postsecondary students, including earnings,  
19                   employment, and further education, by  
20                   program of study and credential level and  
21                   as measured—

22                           “(I) immediately after leaving  
23                           postsecondary education; and

1                   “(II) at time intervals appro-  
2                   priate to the credential sought and  
3                   earned.

4                   “(C) PERIODIC DATA MATCH STREAM-  
5                   LINING AND CONFIDENTIALITY.—

6                   “(i) STREAMLINING.—In carrying out  
7                   the secure periodic data system matches  
8                   under this paragraph, the Commissioner  
9                   shall—

10                   “(I) ensure that such matches  
11                   are not continuous, but occur only pe-  
12                   riodically at appropriate intervals, as  
13                   determined by the Commissioner to  
14                   meet the goals of subparagraph (A);  
15                   and

16                   “(II) seek to—

17                   “(aa) streamline the data  
18                   collection and reporting require-  
19                   ments for institutions of higher  
20                   education;

21                   “(bb) minimize duplicative  
22                   reporting across or within Fed-  
23                   eral agencies or departments, in-  
24                   cluding reporting requirements  
25                   applicable to institutions of high-

1 er education under the Workforce  
2 Innovation and Opportunity Act  
3 (29 U.S.C. 3101 et seq.) and the  
4 Carl D. Perkins Career and  
5 Technical Education Act of 2006  
6 (20 U.S.C. 2301 et seq.);

7 “(cc) protect student pri-  
8 vacy; and

9 “(dd) streamline the applica-  
10 tion process for student loan ben-  
11 efit programs available to bor-  
12 rowers based on data available  
13 from different Federal data sys-  
14 tems.

15 “(ii) REVIEW.—Not less often than  
16 once every 3 years after the establishment  
17 of the postsecondary student data system  
18 under this subsection, the Commissioner,  
19 in consultation with the Advisory Com-  
20 mittee, shall review methods for stream-  
21 lining data collection from institutions of  
22 higher education and minimizing duplica-  
23 tive reporting within the Department and  
24 across Federal agencies that provide data  
25 for the postsecondary student data system.

1           “(iii) CONFIDENTIALITY.—The Com-  
2           missioner shall ensure that any periodic  
3           matching or sharing of data through peri-  
4           odic data system matches established in  
5           accordance with this paragraph—

6                   “(I) complies with the security  
7                   and privacy protections described in  
8                   paragraph (1)(C)(iv) and other Fed-  
9                   eral data protection protocols;

10                   “(II) follows industry best prac-  
11                   tices commensurate with the sensi-  
12                   tivity of specific data elements or  
13                   metrics;

14                   “(III) does not result in the cre-  
15                   ation of a single standing, linked Fed-  
16                   eral database at the Department that  
17                   maintains the information reported  
18                   across other Federal agencies; and

19                   “(IV) discloses to postsecondary  
20                   students what data are included in the  
21                   data system and periodically matched  
22                   and how the data are used.

23           “(iv) CORRECTION.—The Commis-  
24           sioner, in consultation with the Advisory  
25           Committee, shall establish a process for

1 students to request access to only their  
2 personal information for inspection and re-  
3 quest corrections to inaccuracies in a man-  
4 ner that protects the student’s personally  
5 identifiable information. The Commissioner  
6 shall respond in writing to every request  
7 for a correction from a student.

8 “(4) PUBLICLY AVAILABLE INFORMATION.—

9 “(A) IN GENERAL.—The Commissioner  
10 shall make the summary aggregate information  
11 described in subparagraph (C), at a minimum,  
12 publicly available through a user-friendly con-  
13 sumer information website and analytic tool  
14 that—

15 “(i) provides appropriate mechanisms  
16 for users to customize and filter informa-  
17 tion by institutional and student character-  
18 istics;

19 “(ii) allows users to build summary  
20 aggregate reports of information, including  
21 reports that allow comparisons across mul-  
22 tiple institutions and programs, subject to  
23 subparagraph (B);

24 “(iii) uses appropriate statistical dis-  
25 closure limitation techniques necessary to



1 ensure that the data released to the public  
2 cannot be used to identify specific individ-  
3 uals; and

4 “(iv) provides users with appropriate  
5 contextual factors to make comparisons,  
6 which may include national median figures  
7 of the summary aggregate information de-  
8 scribed in subparagraph (C).

9 “(B) NO PERSONALLY IDENTIFIABLE IN-  
10 FORMATION AVAILABLE.—The summary aggre-  
11 gate information described in this paragraph  
12 shall not include personally identifiable informa-  
13 tion.

14 “(C) SUMMARY AGGREGATE INFORMATION  
15 AVAILABLE.—The summary aggregate informa-  
16 tion described in this paragraph shall, at a min-  
17 imum, include each of the following for each in-  
18 stitution of higher education:

19 “(i) Measures of student access, in-  
20 cluding—

21 “(I) admissions selectivity and  
22 yield; and

23 “(II) enrollment, disaggregated  
24 by each category described in para-  
25 graph (2)(C)(ii).

1 “(ii) Measures of student progression,  
2 including retention rates and persistence  
3 rates, disaggregated by each category de-  
4 scribed in paragraph (2)(C)(ii).

5 “(iii) Measures of student completion,  
6 including—

7 “(I) transfer rates and comple-  
8 tion rates, disaggregated by each cat-  
9 egory described in paragraph  
10 (2)(C)(ii); and

11 “(II) number of completions,  
12 disaggregated by each category de-  
13 scribed in paragraph (2)(C)(ii).

14 “(iv) Measures of student costs, in-  
15 cluding—

16 “(I) tuition, required fees, total  
17 cost of attendance, and net price after  
18 total grant aid, disaggregated by in-  
19 State tuition or in-district tuition sta-  
20 tus (if applicable), program of study  
21 (if applicable), and credential level;  
22 and

23 “(II) typical grant amounts and  
24 loan amounts received by students re-  
25 ported separately from Federal, State,

1 local, and institutional sources, and  
2 cumulative debt, disaggregated by  
3 each category described in paragraph  
4 (2)(C)(ii) and completion status.

5 “(v) Measures of postcollegiate stu-  
6 dent outcomes, including employment  
7 rates, mean and median earnings, loan re-  
8 payment and default rates, and further  
9 education rates. These measures shall—

10 “(I) be disaggregated by each  
11 category described in paragraph  
12 (2)(C)(ii) and completion status; and

13 “(II) be measured immediately  
14 after leaving postsecondary education  
15 and at time intervals appropriate to  
16 the credential sought or earned.

17 “(D) DEVELOPMENT CRITERIA.—In devel-  
18 oping the method and format of making the in-  
19 formation described in this paragraph publicly  
20 available, the Commissioner shall—

21 “(i) focus on the needs of the users of  
22 the information, which will include stu-  
23 dents, families of students, potential stu-  
24 dents, researchers, and other consumers of  
25 education data;

1           “(ii) take into consideration, to the  
2           extent practicable, the guidelines described  
3           in paragraph (1)(C)(ii)(I), and relevant  
4           successor documents or recommendations  
5           of such guidelines;

6           “(iii) use modern, relevant technology  
7           and enhance and update the postsecondary  
8           student data system with information, as  
9           necessary to carry out the purpose of this  
10          paragraph;

11          “(iv) ensure data privacy and security  
12          in accordance with standards and guide-  
13          lines developed by the National Institute of  
14          Standards and Technology, and in accord-  
15          ance with any other Federal law relating to  
16          privacy or security, including complying  
17          with the requirements of subchapter II of  
18          chapter 35 of title 44, United States Code,  
19          specifying security categorization under the  
20          Federal Information Processing Standards,  
21          and security requirements, and setting of  
22          National Institute of Standards and Tech-  
23          nology security baseline controls at the ap-  
24          propriate level; and

1                   “(v) conduct consumer testing to de-  
2                   termine how to make the information as  
3                   meaningful to users as possible.

4                   “(5) PERMISSIBLE DISCLOSURES OF DATA.—

5                   “(A) DATA REPORTS AND QUERIES.—

6                   “(i) IN GENERAL.—Not later than 4  
7                   years after the date of enactment of the  
8                   America COMPETES Act of 2022, the  
9                   Commissioner shall develop and implement  
10                  a secure process for making student-level,  
11                  non-personally identifiable information,  
12                  with direct identifiers removed, from the  
13                  postsecondary student data system avail-  
14                  able for vetted research and evaluation  
15                  purposes approved by the Commissioner in  
16                  a manner compatible with practices for dis-  
17                  closing National Center for Education Sta-  
18                  tistics restricted-use survey data as in ef-  
19                  fect on the day before the date of enact-  
20                  ment of the America COMPETES Act of  
21                  2022, or by applying other research and  
22                  disclosure restrictions to ensure data pri-  
23                  vacy and security. Such process shall be  
24                  approved by the National Center for Edu-

1 cation Statistics' Disclosure Review Board  
2 (or successor body).

3 “(ii) PROVIDING DATA REPORTS AND  
4 QUERIES TO INSTITUTIONS AND STATES.—

5 “(I) IN GENERAL.—The Commis-  
6 sioner shall provide feedback reports,  
7 at least annually, to each institution  
8 of higher education, each postsec-  
9 ondary education system that fully  
10 participates in the postsecondary stu-  
11 dent data system, and each State  
12 higher education body as designated  
13 by the governor.

14 “(II) FEEDBACK REPORTS.—The  
15 feedback reports provided under this  
16 clause shall include program-level and  
17 institution-level information from the  
18 postsecondary student data system re-  
19 garding students who are associated  
20 with the institution or, for State rep-  
21 resentatives, the institutions within  
22 that State, on or before the date of  
23 the report, on measures including stu-  
24 dent mobility and workforce outcomes,  
25 provided that the feedback aggregate

1 summary reports protect the privacy  
2 of individuals.

3 “(III) DETERMINATION OF CON-  
4 TENT.—The content of the feedback  
5 reports shall be determined by the  
6 Commissioner in consultation with the  
7 Advisory Committee.

8 “(iii) PERMITTING STATE DATA QUE-  
9 RIES.—The Commissioner shall, in con-  
10 sultation with the Advisory Committee and  
11 as soon as practicable, create a process  
12 through which States may submit lists of  
13 secondary school graduates within the  
14 State to receive summary aggregate out-  
15 comes for those students who enrolled at  
16 an institution of higher education, includ-  
17 ing postsecondary enrollment and college  
18 completion, provided that those data pro-  
19 tect the privacy of individuals and that the  
20 State data submitted to the Commissioner  
21 are not stored in the postsecondary edu-  
22 cation system.

23 “(iv) REGULATIONS.—The Commis-  
24 sioner shall promulgate regulations to en-  
25 sure fair, secure, and equitable access to

1 data reports and queries under this para-  
2 graph.

3 “(B) DISCLOSURE LIMITATIONS.—In car-  
4 rying out the public reporting and disclosure re-  
5 quirements of this subsection, the Commis-  
6 sioner shall use appropriate statistical diselo-  
7 sure limitation techniques necessary to ensure  
8 that the data released to the public cannot in-  
9 clude personally identifiable information or be  
10 used to identify specific individuals.

11 “(C) SALE OF DATA PROHIBITED.—Data  
12 collected under this subsection, including the  
13 public-use data set and data comprising the  
14 summary aggregate information available under  
15 paragraph (4), shall not be sold to any third  
16 party by the Commissioner, including any insti-  
17 tution of higher education or any other entity.

18 “(D) LIMITATION ON USE BY OTHER FED-  
19 ERAL AGENCIES.—

20 “(i) IN GENERAL.—The Commissioner  
21 shall not allow any other Federal agency to  
22 use data collected under this subsection for  
23 any purpose except—

24 “(I) for vetted research and eval-  
25 uation conducted by the other Federal



1 agency, as described in subparagraph  
2 (A)(i); or

3 “(II) for a purpose explicitly au-  
4 thorized by this Act.

5 “(ii) PROHIBITION ON LIMITATION OF  
6 SERVICES.—The Secretary, or the head of  
7 any other Federal agency, shall not use  
8 data collected under this subsection to  
9 limit services to students.

10 “(E) LAW ENFORCEMENT.—Personally  
11 identifiable information collected under this  
12 subsection shall not be used for any Federal,  
13 State, or local law enforcement activity or any  
14 other activity that would result in adverse ac-  
15 tion against any student or a student’s family,  
16 including debt collection activity or enforcement  
17 of immigration laws.

18 “(F) LIMITATION OF USE FOR FEDERAL  
19 RANKINGS OR SUMMATIVE RATING SYSTEM.—  
20 The comprehensive data collection and analysis  
21 necessary for the postsecondary student data  
22 system under this subsection shall not be used  
23 by the Secretary or any Federal entity to estab-  
24 lish any Federal ranking system of institutions  
25 of higher education or a system that results in

1 a summative Federal rating of institutions of  
2 higher education.

3 “(G) RULE OF CONSTRUCTION.—Nothing  
4 in this paragraph shall be construed to prevent  
5 the use of individual categories of aggregate in-  
6 formation to be used for accountability pur-  
7 poses.

8 “(H) RULE OF CONSTRUCTION REGARDING  
9 COMMERCIAL USE OF DATA.—Nothing in this  
10 paragraph shall be construed to prohibit third-  
11 party entities from using publicly-available in-  
12 formation in this data system for commercial  
13 use.

14 “(6) SUBMISSION OF DATA.—

15 “(A) REQUIRED SUBMISSION.—Each insti-  
16 tution of higher education participating in a  
17 program under title IV, or the assigned agent  
18 of such institution, shall, for each eligible pro-  
19 gram, in accordance with section 487(a)(17),  
20 collect, and submit to the Commissioner, the  
21 data requested by the Commissioner to carry  
22 out this subsection.

23 “(B) VOLUNTARY SUBMISSION.—Any insti-  
24 tution of higher education not participating in  
25 a program under title IV may voluntarily par-

1           ticipate in the postsecondary student data sys-  
2           tem under this subsection by collecting and sub-  
3           mitting data to the Commissioner, as the Com-  
4           missioner may request to carry out this sub-  
5           section.

6           “(C) PERSONALLY IDENTIFIABLE INFOR-  
7           MATION.—In accordance with paragraph  
8           (2)(C)(i), if the submission of an element of  
9           student-level data is prohibited under para-  
10          graph (2)(F) (or otherwise prohibited by law),  
11          the institution of higher education shall submit  
12          that data to the Commissioner in the aggregate.

13          “(7) UNLAWFUL WILLFUL DISCLOSURE.—

14          “(A) IN GENERAL.—It shall be unlawful  
15          for any person who obtains or has access to  
16          personally identifiable information in connection  
17          with the postsecondary student data system de-  
18          scribed in this subsection to willfully disclose to  
19          any person (except as authorized by any Fed-  
20          eral law) such personally identifiable informa-  
21          tion.

22          “(B) PENALTY.—Any person who violates  
23          subparagraph (A) shall be subject to a penalty  
24          described under section 3572(f) of title 44,  
25          United States Code, and section 183(d)(6) of

1 the Education Sciences Reform Act of 2002 (20  
2 U.S.C. 9573(d)(6)).

3 “(C) EMPLOYEE OF OFFICER OF THE  
4 UNITED STATES.—If a violation of subpara-  
5 graph (A) is committed by any officer or em-  
6 ployee of the United States, the officer or em-  
7 ployee shall be dismissed from office or dis-  
8 charged from employment upon conviction for  
9 the violation.

10 “(8) DATA SECURITY.—The Commissioner shall  
11 produce and update as needed guidance and regula-  
12 tions relating to privacy, security, and access which  
13 shall govern the use and disclosure of data collected  
14 in connection with the activities authorized in this  
15 subsection. The guidance and regulations developed  
16 and reviewed shall protect data from unauthorized  
17 access, use, and disclosure, and shall include—

18 “(A) an audit capability, including manda-  
19 tory and regularly conducted audits;

20 “(B) access controls;

21 “(C) requirements to ensure sufficient data  
22 security, quality, validity, and reliability;

23 “(D) appropriate and applicable privacy  
24 and security protection, including data retention  
25 and destruction protocols and data minimiza-

1           tion, in accordance with the most recent Fed-  
2           eral standards developed by the National Insti-  
3           tute of Standards and Technology; and

4           “(E) protocols for managing a breach, in-  
5           cluding breach notifications, in accordance with  
6           the standards of National Center for Education  
7           Statistics.

8           “(9) DATA COLLECTION.—The Commissioner  
9           shall ensure that data collection, maintenance, and  
10          use under this subsection complies with section 552a  
11          of title 5, United States Code.

12          “(10) DEFINITIONS.—In this subsection:

13                 “(A) INSTITUTION OF HIGHER EDU-  
14                 CATION.—The term ‘institution of higher edu-  
15                 cation’ has the meaning given the term in sec-  
16                 tion 102.

17                 “(B) MINORITY-SERVING INSTITUTION.—  
18                 The term ‘minority-serving institution’ means  
19                 an institution of higher education listed in sec-  
20                 tion 371(a).

21                 “(C) PERSONALLY IDENTIFIABLE INFOR-  
22                 MATION.—The term ‘personally identifiable in-  
23                 formation’ is used under this subsection as such  
24                 term is used under section 444 of the General  
25                 Education Provisions Act (20 U.S.C. 1232g).”.

1 (b) REPEAL OF PROHIBITION ON STUDENT DATA  
2 SYSTEM.—Section 134 of the Higher Education Act of  
3 1965 (20 U.S.C. 1015c) is repealed.

4 (c) INSTITUTIONAL REQUIREMENTS.—

5 (1) IN GENERAL.—Paragraph (17) of section  
6 487(a) of the Higher Education Act of 1965 (20  
7 U.S.C. 1094(a)) is amended to read as follows:

8 “(17) The institution or the assigned agent of  
9 the institution will collect and submit data to the  
10 Commissioner for Education Statistics in accordance  
11 with section 132(l), the nonstudent related surveys  
12 within the Integrated Postsecondary Education Data  
13 System (IPEDS), or any other Federal institution of  
14 higher education data collection effort (as designated  
15 by the Secretary), in a timely manner and to the  
16 satisfaction of the Secretary.”.

17 (2) EFFECTIVE DATE.—The amendment made  
18 by subsection (a) shall take effect on the date that  
19 is 4 years after the date of enactment of this Act.

20 (d) TRANSITION PROVISIONS.—The Secretary of  
21 Education and the Commissioner for Education Statistics  
22 shall take such steps as are necessary to ensure that the  
23 development and maintenance of the postsecondary stu-  
24 dent data system required under section 132(l) of the  
25 Higher Education Act of 1965, as added by subsection

1 (a), occurs in a manner that reduces the reporting burden  
2 for entities that reported into the Integrated Postsec-  
3 ondary Education Data System (IPEDS).

