

118TH CONGRESS  
1ST SESSION

# S. 3355

To require institutions of higher education participating in Federal financial aid programs to pay a percentage of the cost of attendance for each enrolled full-time student, based on the endowment fund of the institution, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 29, 2023

Mr. SCOTT of Florida introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To require institutions of higher education participating in Federal financial aid programs to pay a percentage of the cost of attendance for each enrolled full-time student, based on the endowment fund of the institution, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Changing Our Learn-  
5 ing, Loans, Endowments, and Graduation Expectations  
6 Act” or the “COLLEGE Act”.

1 **SEC. 2. COST MATCH REQUIREMENT.**

2 Part G of title IV of the Higher Education Act of  
3 1965 (20 U.S.C. 1088 et seq.) is amended by adding at  
4 the end the following:

5 **“SEC. 494A. COST MATCH REQUIREMENT AND COST AND**  
6 **ENDOWMENT REPORT.**

7 “(a) COST MATCH REQUIREMENT.—

8 “(1) IN GENERAL.—For each award year, each  
9 institution of higher education participating in a  
10 program under this title that has an endowment  
11 fund that is maintained for the purpose of gener-  
12 ating income for the support of the institution and  
13 is greater than \$1,000,000,000 shall pay the covered  
14 percentage of the cost of attendance for each full-  
15 time student enrolled at the institution of higher  
16 education.

17 “(2) COVERED PERCENTAGE.—The covered  
18 percentage shall be:

19 “(A) In the case of an institution of higher  
20 education that has an endowment fund that is  
21 greater than \$1,000,000,000, but less than  
22 \$5,000,000,000, 25 percent.

23 “(B) In the case of an institution of higher  
24 education that has an endowment fund that is  
25 \$5,000,000,000 or greater, but less than  
26 \$10,000,000,000, 50 percent.

1           “(C) In the case of an institution of higher  
2           education that has an endowment fund that is  
3           \$10,000,000,000 or greater, 75 percent.

4           “(b) COST AND ENDOWMENT REPORT.—Not later  
5           than July 1 of each year, each institution of higher edu-  
6           cation participating in a program under this title shall  
7           submit a report to the Secretary containing the following  
8           information:

9           “(1) The total cost of attendance for a full-time  
10          student for the upcoming award year.

11          “(2) If the total cost of attendance for the up-  
12          coming award year is greater than the cost of at-  
13          tendance for the prior award year—

14                 “(A) the amount of the increase in the cost  
15                 of attendance from the prior award year; and

16                 “(B) an explanation of the basis for such  
17                 increase.

18          “(3) A statement of whether the institution of  
19          higher education has an endowment fund, and if  
20          so—

21                 “(A) the amount of the endowment fund  
22                 as of the date the report is submitted; and

23                 “(B) the total increase in the amount of  
24                 the endowment fund over the preceding 4 fiscal

1           quarters, specifying the growth attributable  
2           to—

3                   “(i) contributions to the endowment  
4                   fund, including charitable donations, gifts,  
5                   bequests, and similar contributions of  
6                   money or assets; and

7                   “(ii) investments of amounts in the  
8                   endowment fund, including bonds, securi-  
9                   ties, asset acquisitions or sales, and similar  
10                  financial investments and transactions.”.

11 **SEC. 3. PROGRAM PARTICIPATION AGREEMENT.**

12           Section 487(a) of the Higher Education Act of 1965  
13 (20 U.S.C. 1094(a)) is amended by adding at the end the  
14 following:

15                   “(30) The institution will—

16                           “(A) pay the covered percentage of the  
17                           cost of attendance for each full-time enrolled  
18                           student, as described in section 494A(a); and

19                           “(B) annually submit the cost and endow-  
20                           ment report described in section 494A(b).”.

21 **SEC. 4. RISK-SHARING PAYMENTS FOR FEDERAL DIRECT**  
22 **LOANS.**

23           Section 454 of the Higher Education Act of 1965 (20  
24 U.S.C. 1087d(a)) is amended—

25                   (1) in subsection (a)—

1 (A) in paragraph (5), by striking “and”  
2 after the semicolon;

3 (B) by redesignating paragraph (6) as  
4 paragraph (8); and

5 (C) by inserting after paragraph (5) the  
6 following:

7 “(6) provide that the institution accepts the in-  
8 stitutional risk-sharing requirements under sub-  
9 section (d);” and

10 (2) by adding at the end the following:

11 “(d) INSTITUTIONAL RISK-SHARING BASED ON  
12 LOAN DEFAULT.—

13 “(1) IN GENERAL.—Beginning with the first  
14 fiscal year that begins after the date of enactment  
15 of the COLLEGE Act, and each succeeding fiscal  
16 year, each institution of higher education partici-  
17 pating in the direct student loan program under this  
18 part shall remit to the Secretary, at such times as  
19 the Secretary may specify, an institutional risk-shar-  
20 ing payment, as determined under paragraph (2).

21 “(2) DETERMINATION OF RISK-SHARING PAY-  
22 MENTS.—

23 “(A) DETERMINATION OF COHORT LOAN  
24 BALANCE.—The cohort loan balance of an insti-  
25 tution for a fiscal year equals the total principal

1 amount of all loans made under this part to at-  
2 tend such institution for the cohort of bor-  
3 rowers who entered repayment, deferment, or  
4 forbearance on such loans in the third pre-  
5 ceeding fiscal year for which the determination is  
6 made.

7 “(B) DETERMINATION OF COHORT NON-  
8 REPAYMENT LOAN BALANCE.—The cohort non-  
9 repayment loan balance of an institution for a  
10 fiscal year equals, from the total amount of the  
11 loans described in subparagraph (A), the total  
12 loan balance of those borrowers who have gone  
13 into default in the 3 consecutive fiscal years  
14 since their loans entered repayment, deferment,  
15 or forbearance.

16 “(C) DETERMINATION OF PAYMENT.—The  
17 risk-sharing payment of an institution for a fis-  
18 cal year shall equal, for the first fiscal year  
19 after the date of enactment of the COLLEGE  
20 Act through the twenty-fifth fiscal year after  
21 such date, an amount equal to 1 percent of the  
22 cohort nonrepayment loan balance determined  
23 under subparagraph (B) through 25 percent of  
24 that balance, respectively, for each year.”.

1 **SEC. 5. PROGRAM INTEGRITY.**

2 (a) INSTITUTIONAL REPORTING.—Section 454 of the  
3 Higher Education Act of 1965 (20 U.S.C. 1087d), as  
4 amended by section 4, is further amended—

5 (1) in subsection (a), by inserting after para-  
6 graph (6) (as added by section 4), the following:

7 “(7) provide that the institution will collect and  
8 by July 1 of each year report to the Secretary data,  
9 in the aggregate and disaggregated by academic  
10 major, regarding—

11 “(A) the 4-year graduation rate for each  
12 academic program offered at the institution;

13 “(B) the percentage of graduates who are  
14 employed full-time or continuing their education  
15 full-time 1, 3, and 5 years after graduating;

16 “(C) the median full-time wages of grad-  
17 uates for each academic program 1, 3, and 5  
18 years after graduating;

19 “(D) the total cost of tuition and fees for  
20 the mandatory credit hours necessary to grad-  
21 uate with a degree for each academic program;

22 “(E) the cost to graduate with a degree for  
23 each academic program by major (including tui-  
24 tion, fees, room and board, and books and sup-  
25 plies);

1           “(F) the average monthly payment due for  
2           loans made under part B, D, or E, for grad-  
3           uates of each academic program;

4           “(G) the average total student loan debt of  
5           graduates for each academic program; and

6           “(H) the average 3-year student loan de-  
7           fault rate of graduates for each academic pro-  
8           gram; and”; and

9           (2) by adding at the end the following:

10          “(e) PUBLICLY AVAILABLE INFORMATION.—The  
11          Secretary shall publish and make publicly available the  
12          data described in subsection (a)(7).”.

13          (b) PROGRAM REVIEW AND DATA.—Section  
14          498A(a)(1) of the Higher Education Act of 1965 (20  
15          U.S.C. 1099c–1(a)(1)) is amended by striking “title;” and  
16          inserting “title, which shall include annually collecting and  
17          reporting, for each institution—

18                 “(A) the average amount of Federal stu-  
19                 dent loan debt owed for an individual student  
20                 on the date of graduation from that institution;  
21                 and

22                 “(B) the rate of loan deferment, rate of  
23                 forbearance, rate of default, and rate of delin-  
24                 quency (each expressed separately) for bor-  
25                 rowers of all Federal student loans, 5, 7, and



- 1 10 years after the borrowers' date of gradua-
- 2 tion from the institution;”.

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