AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 4508 OFFERED BY MR. HUNTER OF CALIFORNIA

Strike section 121(a)(1) and insert the following:

1   (1) by striking subsection (a) and inserting the
2 following:

3   "(a) DEFINITIONS.—In this section:

4   "(1) AIDED STUDENT.—The term 'aided stu-
5 dent' means a student enrolled in an institution of
6 higher education who has received assistance under
7 a Federal student financial aid program.

8   "(2) COMMISSIONER.—The term 'Commis-
9 sioner' means the Commissioner for Education Sta-
10 tistics.

11   "(3) COST OF ATTENDANCE.—The term 'cost of
12 attendance' means the average annual cost of tuition
13 and fees, room and board, books, supplies, and
14 transportation for an institution of higher education
15 for a full-time undergraduate student enrolled in the
16 institution.

17   "(4) FEDERAL STUDENT FINANCIAL AID PRO-
18 GRAM.—The term 'Federal student financial aid pro-
19 gram' means any of the following:

1   "(A) The Federal Pell Grant program
2   under subpart 1 of part A of title IV.

3   "(B) The Federal Family Education Loan
4   program under part B of such title.

5   "(C) The Federal Direct Loan program
6   under part D of such title.

7   "(D) The Federal ONE Loan program
8   under part E of such title.

9   "(E) The Federal Perkins Loan program
10   under part E of such title, as in effect on the
11   day before the date of enactment of the PROS-
12   PER Act and pursuant to section 461(a) of
13   such Act.

14   "(5) IPEDS.—The term 'IPEDS' means the
15   Integrated Postsecondary Education Data System
16   administered by the Commissioner of Education Sta-
17   tistics.

18   "(6) MACHINE-READABLE FORMAT.—The term
19   'machine-readable format' means a format in which
20   information or data can be easily processed by a
21   computer without human intervention while ensuring
22   no semantic meaning is lost.

23   "(7) NET PRICE.—The term 'net price' means
24   the average yearly price actually charged to full-time
25   undergraduate students receiving student aid at an

1   institution of higher education after deducting such

2   aid, which shall be determined by calculating the dif-

3   ference between—

4   ''(A) the institution's cost of attendance

5   for the year for which the determination is

6   made; and

7   ''(B) the quotient of—

8   ''(i) the total amount of need-based

9   grant aid and merit-based grant aid, from

10   Federal, State, and institutional sources,

11   provided to such students enrolled in the

12   institution for such year; and

13   ''(ii) the total number of such stu-

14   dents receiving such need-based grant aid

15   or merit-based grant aid for such year.

16   ''(8) PERSONALLY IDENTIFIABLE INFORMA-

17   TION.—The term 'personally identifiable informa-

18   tion' includes—

19   ''(A) a student's name;

20   ''(B) the name of a student's parent or

21   other family members;

22   ''(C) the address of a student or student's

23   family;

1   ''(D) a personal identifier, such as a stu-

2   dent's social security number, student number,

3   or biometric record;

4   ''(E) other indirect identifiers, such as a

5   student's date of birth, place of birth, and

6   mother's maiden name;

7   ''(F) other information that, alone or in

8   combination, is linked or linkable to a specific

9   student that would allow a reasonable person in

10   the school community, who does not have per-

11   sonal knowledge of the relevant circumstances,

12   to identify the student with reasonable cer-

13   tainty; or

14   ''(G) information requested by a person

15   who the educational agency or institution rea-

16   sonably believes knows the identity of the stu-

17   dent to whom the education record relates.

18   ''(9) PILOT HIGHER EDUCATION DATA SYS-

19   TEM.—The term 'pilot higher education data system'

20   means the data system established under subsection

21   (f).

22   ''(10) REPORTING ENTITY.—The term 'report-

23   ing entity' means an institution of higher education,

24   Federal agency, or other entity that submits data

1   components for the pilot higher education data sys-

2   tem.

3   ''(11) SECURE MULTI-PARTY COMPUTATION.—

4   The term 'secure multi-party computation' means a

5   computerized system that enables different partici-

6   pating entities in possession of private sets of data

7   to link and aggregate their data sets for the exclu-

8   sive purpose of performing a finite number of pre-

9   approved computations without transferring or oth-

10   erwise revealing any private data to each other or

11   anyone else.

12   ''(12) STUDENT-FOCUSED IPEDS METRICS.—

13   The term 'student-focused IPEDS metrics' means

14   the aggregate metrics required under IPEDS, as in

15   effect on the day before the date of enactment of

16   this Act, that are student-related and calculated

17   using student-related data components (such as stu-

18   dent enrollment rates and graduation rates).

19   ''(13) TUITION AND FEES.—The term 'tuition

20   and fees' means the average annual cost of tuition

21   and fees for an institution of higher education for

22   full-time undergraduate students enrolled in the in-

23   stitution.''.

In section 121(a)(4), strike ''and'' at the end.

In section 121(a)(5), strike the period at the end and insert "; and".

In section 121(a), add at the end the following:

1   (6) by adding at the end the following:

2   "(f) PILOT PROGRAM RELATING TO ACCURATE,

3 COMPLETE, AND SECURE DATA ON STUDENTS AT ALL

4 LEVELS OF POSTSECONDARY ENROLLMENT.—

5   "(1) PILOT HIGHER EDUCATION DATA SYS-

6   TEM.—

7   "(A) ESTABLISHMENT OF NEW DATA SYS-

8   TEM.—Beginning not later than October 1,

9   2019, and ending not later than October 1,

10   2021, the Secretary, acting through the Com-

11   missioner, shall develop, implement, and report

12   the results of, a pilot program for a new higher

13   education data system that meets the require-

14   ments of subparagraph (B).

15   "(B) REQUIREMENTS OF DATA SYSTEM.—

16   The pilot higher education data system shall—

17   "(i) facilitate the compilation of sta-

18   tistical data necessary to create a robust

19   and useful pilot higher education data sys-

20   tem while minimizing the privacy and secu-

21   rity risks by using commercially available

22   technology that, at a minimum, uses tech-

1   nical protection measures that reasonably

2   ensure that—

3   ''(I) a reporting entity's raw

4   data, including personally identifiable

5   information, shall not be accessible

6   through the system to the Department

7   or any party other than the reporting

8   entity;

9   ''(II) no information about the

10   data components used in the system is

11   revealed by the system to the Depart-

12   ment or any other party, except as in-

13   corporated into the outcome metrics

14   described in paragraph (3); and

15   ''(III) no data or information

16   that can identify an individual is re-

17   vealed by the system to the Depart-

18   ment or any other party;

19   ''(ii)(I) permit only the Office of the

20   Commissioner, directly and not by grant or

21   contract, to perform statistical queries nec-

22   essary to determine the outcome metrics

23   described in paragraph (3)using the data

24   components submitted by the reporting en-

25   tities; and

1   "(II) prohibit, using commercially

2 available technology, any other queries by

3 the Department or any other party

4 through the system;

5 "(iii) be resistant, to the extent possible using commercially available technology, to attempts by any party to individually identify individuals in the data components submitted by reporting entities; and

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11 "(iv) minimize, to the extent possible using commercially available technology, the privacy risks to individuals whose data has been submitted by a reporting entity that could result from data breaches of any system operated by the reporting entity.

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17 "(C) CONSIDERATIONS.—In designing, establishing, and maintaining the pilot higher education data system, the Secretary, acting through the Commissioner, shall use the best available cybersecurity and privacy-enhancing technologies to protect the data collected under such system and the privacy of the underlying individuals. In designing the pilot data system, the Commissioner—

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1   "(i) shall use secure multiparty com-

2   putation technologies; or

3   "(ii) may utilize technology other than

4   secure multiparty computation technologies

5   if the other technology—

6   "(I) fully complies with sub-

7   clauses (I) through (III) of clause

8   (ii)(I); and

9   "(II) delivers greater student pri-

10   vacy and security than secure

11   multiparty computation.

12   "(2) REPORTING OF DATA COMPONENTS.—

13   "(A) DATA COMPONENTS REPORTED BY

14   INSTITUTIONS OF HIGHER EDUCATION.—

15   "(i) IN GENERAL.—Not fewer than 5

16   institution of higher education partici-

17   pating in any Federal student financial as-

18   sistance program shall participate in the

19   pilot program and report to the pilot high-

20   er education data system—

21   "(I) not more than the minimum

22   student-level data necessary to enable

23   the Commissioner to calculate the

24   metrics described in paragraph (3) for

25   each year; and

1   "(II) not more than the min-
2   imum student-level data necessary for
3   the Commissioner to calculate the stu-
4   dent-focused IPEDS metrics for each
5   year.

6   "(ii) USE OF TECHNOLOGY.—In re-
7   porting the data described in clause (i) to
8   the pilot higher education data system, the
9   institution may—

10   "(I) directly report the data
11   using the technology described in
12   paragraph (1)(B)(i) and authorized in
13   a rule or guidance issued under para-
14   graph (1)(D); or

15   "(II) submit such data to a third
16   party servicer that has demonstrated
17   the capacity to utilize such technology
18   and agreed to conduct the reporting
19   for the institution.

20   "(B) DATA COMPONENTS REPORTED FROM
21 THE SOCIAL SECURITY ADMINISTRATION AND
22 THE SECRETARY OF THE TREASURY.—The
23 Commissioner of Social Security and the Sec-
24 retary of the Treasury shall report to the pilot
25 higher education data system the earnings data

1   components for individuals employed in the

2   United States, including the self-employed,

3   independent contractors, and members of the

4   military, that—

5   ''(i) are available to the Commissioner

6   of Social Security or the Secretary, respec-

7   tively; and

8   ''(ii) are necessary, as determined by

9   the Commissioner for Education Statistics,

10   for the calculation of the outcome metrics

11   described in paragraph (3) for each year.

12   ''(C) MILITARY-RELATED DATA COMPO-

13   NENTS REPORTED FROM THE SECRETARY OF

14   DEFENSE AND THE SECRETARY OF VETERANS

15   AFFAIRS.—The Secretary of Defense and the

16   Secretary of Veterans Affairs shall report to the

17   pilot higher education data system the data

18   components relating to the recipients of edu-

19   cational assistance benefits provided directly to

20   servicemembers and veterans under the laws

21   administered by the Secretary of Veterans Af-

22   fairs and Secretary of Defense, that—

23   ''(i) are available to each such Sec-

24   retary; and

1 ''(ii) are necessary, as determined by

2 the Commissioner, for the calculation of

3 the outcome metrics described in para-

4 graph (3) for each year.

5 ''(D) FINANCIAL ASSISTANCE ELIGIBILITY

6 DATA FROM THE SECRETARY OF EDUCATION.—

7 The Secretary shall provide to the pilot higher

8 education data system the data components re-

9 lating to individual eligibility for, and receipt of

10 aid from, all Federal student financial aid pro-

11 grams that are necessary for the calculation of

12 the outcome metrics described in paragraph (3)

13 for each year.

14 ''(3) ESTABLISHMENT OF NEW METRICS.—

15 ''(A) METRICS.—

16 ''(i) IN GENERAL.—The Secretary,

17 acting through the Commissioner, shall use

18 the pilot higher education data system to

19 calculate only the metrics described in sub-

20 paragraphs (B) and (C) for each institu-

21 tion participating in the system and, wher-

22 ever applicable and feasible, for each pro-

23 gram of study at the institution.

24 ''(ii) PERIOD OF DATA.—The Sec-

25 retary shall calculate the metrics described

1   in subparagraphs (B) and (C) for the pre-

2   vious year.

3   "(B) EDUCATION AND DEBT-RELATED

4   METRICS.—

5   "(i) IN GENERAL.—The education and

6   debt-related metrics to be calculated under

7   the pilot higher education data system are

8   the following:

9   "(I) All student-focused IPEDS

10   metrics.

11   "(II) The percentage of students

12   who receive each of the following:

13   "(aa) Federal grants.

14   "(bb) Federal loans.

15   "(cc) State grants.

16   "(dd) State loans.

17   "(ee) Private loans.

18   "(ff) Private scholarships.

19   "(gg) Institutional grants.

20   "(hh) Institutional loans.

21   "(III) Student completion rates,

22   calculated based on the percentage of

23   students who complete the program

24   within 100 percent, 150 percent, and

1 200 percent of normal program com-

2 pletion time.

3 ''(IV) The mean and median

4 amount of Federal loan debt, includ-

5 ing accrued interest, incurred by aided

6 students while enrolled in the institu-

7 tion for the most recent award year

8 for which data are available.

9 ''(V) The mean and median

10 amount of total Federal loan debt, in-

11 cluding accrued interest, incurred by

12 aided students of the institution, as of

13 the date of the student's graduation

14 or completion of the student's pro-

15 gram of study.

16 ''(VI) The mean and median

17 amount of total Federal loan debt, in-

18 cluding accrued interest, of aided stu-

19 dents who do not complete a program,

20 measured as of the day before the stu-

21 dent's repayment period for any such

22 loans begin.

23 ''(VII) The loan repayment rates

24 of students who enrolled in the insti-

25 tution, as of 2, 6, and 15 years after

1 the date of program completion or

2 exit.

3 ''(VIII) Student transfer rates,

4 which shall be defined as the percent-

5 age of students who leave an institu-

6 tion and successfully enroll in a pro-

7 gram of study at another institution,

8 by sector of transfer, including wheth-

9 er the receiving program of study is

10 offered by a public 4-year institution,

11 public 2-year institution, public less-

12 than-2-year institution, private non-

13 profit 4-year institution, private non-

14 profit 2-year institution, private non-

15 profit less-than-2-year institution, pri-

16 vate for-profit 4-year institution, pri-

17 vate for-profit 2-year institution, or

18 private for-profit less-than-2-year in-

19 stitution.

20 ''(IX) Transfer student comple-

21 tion rates, which shall be defined as

22 the percentage of students who leave

23 an institution, successfully enroll in a

24 program of study at another institu-

25 tion, and complete such program of

1 study, by sector of transfer (as de-

2 scribed in subclause (VIII)).

3 "(X) Rates of continuation to

4 subsequent levels of education, includ-

5 ing lateral, higher, and lower levels of

6 degree or credential progression,

7 disaggregated by credential sought

8 (including master's degree, law de-

9 gree, medical degree, veterinary de-

10 gree, and postbaccalaureate certifi-

11 cate).

12 "(XI) The percentage of students

13 who receive the degree level they ini-

14 tially sought and the percentage of

15 students who receive a higher degree

16 level.

17 "(XII) The percentage of stu-

18 dents who drop out of the institution

19 without receiving a degree or creden-

20 tial.

21 "(ii) DISAGGREGATION.—

22 "(I) IN GENERAL.—The edu-

23 cation and debt-related metrics de-

24 scribed in clause (i) shall be

25 disaggregated and separately pro-

1   vided, except as allowed under sub-

2   paragraph (B), on the basis of the fol-

3   lowing uncombined categories of data:

4   "(aa) Students who received

5   a Federal Pell Grant under sub-

6   part 1 of part A of title IV.

7   "(bb) Students who received

8   a loan under part B, D, or E of

9   such title but not a Federal Pell

10   Grant.

11   "(cc) Students who received

12   neither a Federal Pell Grant, nor

13   a loan under such part B, D, or

14   E.

15   "(dd) Students who are re-

16   cipients of educational assistance

17   benefits provided directly to vet-

18   erans under the law. The Sec-

19   retary of Veterans Affairs shall

20   coordinate with the Secretary to

21   make available data sufficient to

22   enable such reporting under this

23   subparagraph.

24   "(ee) Students who are

25   servicemembers or veterans.

1   ''(ff) Enrollment status, in-
2   cluding the following:
3   ''(AA) First-time, full-
4   time students.
5   ''(BB) First-time, part-
6   time students.
7   ''(CC) Non-first-time,
8   full-time students.
9   ''(DD) Non-first-time,
10   part-time students.
11   ''(gg) Race or ethnicity.
12   ''(hh) Age or age intervals.
13   ''(ii) Gender.
14   ''(jj) First-generation post-
15   secondary education student sta-
16   tus.
17   ''(kk) The type of credential
18   (including a baccalaureate de-
19   gree, associate's degree, and a
20   certificate) sought by the student
21   through the program of study.
22   ''(ll) Whether the student is
23   college-ready or non-college-ready
24   in mathematics and science, as

1   determined by the institution of

2   higher education.

3   ''(mm) Completion status.

4   ''(II) EXCEPTION.—The edu-

5   cation and debt-related metrics de-

6   scribed in a category under any of

7   items (aa) through (dd), (ii), or (mm)

8   of subclause (I) may be derived for

9   purposes of the requirements of such

10   subparagraph by combining data for

11   such category with another single cat-

12   egory of data described in any of

13   items (aa) through (mm) of such sub-

14   clause.

15   ''(C) EARNING METRICS.—The earning

16   metrics shall be calculated in the following man-

17   ner:

18   ''(i) The earnings metrics shall consist

19   of the debt-to-earnings ratio, and the an-

20   nual earnings from employment, of stu-

21   dents who enrolled in the institution of

22   higher education—

23   ''(I) calculated at the mean, me-

24   dian, and 10th, 25th, 75th, and 90th

25   percentiles of such students; and

1   ''(II) further disaggregated by—

2   ''(aa) program of study and

3   credential received;

4   ''(bb) the State in which the

5   student is employed; and

6   ''(cc) completion status.

7   ''(ii) The debt-to-earnings ratios and

8   the annual earnings from employment cal-

9   culated and disaggregated under clause (i)

10   shall be calculated and reported for stu-

11   dents for each of the following time peri-

12   ods:

13   ''(I) 2 years after the student's

14   educational program completion or

15   exit.

16   ''(II) 6 years after the student's

17   educational program completion or

18   exit.

19   ''(III) 15 years after the stu-

20   dent's educational program completion

21   or exit.

22   ''(4) DISCLOSURE AND USE OF DATA.—

23   ''(A) IN GENERAL.—The Secretary shall—

24   ''(i) test ways make the pilot pro-

25   gram's outcome metrics described in para-

1   graph (3) available in a timely and user-

2   friendly manner; and

3   ''(ii) publish such outcome metrics in

4   a machine-readable format—

5   ''(I) on the website of the De-

6   partment and through any other ap-

7   propriate method; and

8   ''(II) in a timely manner.

9   ''(B) SALE OF DATA COMPONENTS PRO-

10   HIBITED.—The Secretary shall not sell any

11   data components collected for the pilot higher

12   education data system to any third party.

13   ''(5) RULE OF CONSTRUCTION.—Nothing in

14   this subsection shall be construed to affect any other

15   activity related to data collection undertaken by the

16   Department of Education or any other Federal

17   agency that is authorized under any other Federal

18   law, except as provided under paragraph (2) with re-

19   spect to the collection of the IPEDS student-focused

20   metrics.

21   ''(6) AUTHORIZATION OF APPROPRIATIONS.—

22   There are authorized to be appropriated $5,000,000

23   to carry out this subsection.''.

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