

House Resolution 420

By: Representative Holmes of the 61st

A RESOLUTION

1 To urge Congress and the President of the United States to repeal 20 U.S.C. Section 1091(r);
2 and for other purposes.

3 WHEREAS, 20 U.S.C. Section 1091(r), known as the "drug provision" of the federal Higher
4 Education Act, was added in 1998 as an amendment to the Higher Education Act; and

5 WHEREAS, this amendment excludes all students with any past drug convictions from
6 receiving federal financial aid to attend institutions of higher learning; and

7 WHEREAS, this amendment makes no distinction between the age of the drug offense or the
8 level of the drug offense; and

9 WHEREAS, this amendment precludes all prior convicted drug offenders from receiving
10 federal financial aid for higher education while individuals convicted of rape, arson, or armed
11 robbery are eligible for such aid; and

12 WHEREAS, according to the United States Department of Education statistics, over 140,000
13 students have either been denied financial aid or stopped applying for aid as a result of 20
14 U.S.C. Section 1091(r); and

15 WHEREAS, this federal provision has had the effect of punishing individuals who already
16 have served criminal sentences, paid their fines, and are attempting to become productive
17 citizens and taxpayers by obtaining higher education degrees; and

18 WHEREAS, the repeal of 20 U.S.C. Section 1091(r) has the support and backing of over 70
19 organizations around the country including the National Education Association, the National
20 Council for Higher Education, the American Federation of Teachers, the National
21 Association of Student Financial Aid Administrators, and the National Association of
22 Independent Colleges and Universities.

1 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
2 the Congress and the President of the United States are respectfully requested and urged to
3 repeal 20 U.S.C. Section 1091(r).

4 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized
5 and directed to transmit an appropriate copy of this resolution to President George W. Bush
6 and each member of the Georgia Congressional delegation.