



S. 1866 — Hurricanes Harvey, Irma, and Maria Education Relief Act of 2017 (Rep. Alexander, R-TN)

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FLOOR SCHEDULE:

Expected to be considered September 28, 2017, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[S. 1866](#) would require the Secretary of Education to prioritize the reallocation of excess [Federal Supplemental Educational Opportunity Grant](#) and [Federal Work-Study](#) funds to institutions of higher education that have been affected by Hurricane Harvey, Hurricane Irma and Hurricane Maria and provide certain waivers to these institutions related to these programs. In addition, the bill would allow private school children and teachers to participate in [Project SERV](#).

COST:

No Congressional Budget Office (CBO) estimate is available.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** The bill would allow the Secretary of Education to reallocate unspent higher education funding to institutions in hurricane affected areas.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** Waivers and reallocated funds would be made available to schools within the Hurricane Harvey, Hurricane Irma and Hurricane Maria disaster areas, though the bill does not direct specific amounts of funding to these institutions.

DETAILED SUMMARY AND ANALYSIS:

The bill would waive the requirement that higher education institutions provide a matching share to participate in the Federal Supplemental Educational Opportunity Grant (FSOEG) ([20 U.S.C. 1070b et seq.](#)) and Federal Work-Study (FWS) programs ([20 U.S.C. 1087-51 et seq.](#)). These waivers would be available to institutions of higher education within major disaster or emergency area, as declared by President Trump, as a result of Hurricanes Harvey, Irma or Maria. The Secretary of Education could also make waivers available to institutions that enroll students who have parents that live or work within the major disaster

or emergency areas. The secretary would be required to consider the student population and existing resources of these institutions when considering waivers.

The secretary would be required to reallocate excess FSOEG and FWS funds ([20 U.S.C. 1070b-3\(d\)](#) and [20 U.S.C. 1087-52\(d\)](#), respectively) to institutions that are in the areas affected by the hurricanes or enroll students who were affected by the hurricanes, as described above. The secretary would also be required to waive the allocation reduction for the 2018-2019 award year for these affected institutions should they return more than 10% of its allocation. Under current law, an institution's allocation is reduced by the amount returned if an institution returns over 10% of their funds. When reallocating funds, the secretary would be required to give preference to institutions located in the areas affected by the hurricanes. The secretary would also be allowed to waive other regulations pertaining to the reallocation of funds to ensure the affected institutions receive assistance.

The bill allows FSOEG and FWS funds that are scheduled to expire on September 30, 2017, to be available for obligation until September 30, 2018. The secretary would also be allowed to recall funds that would otherwise lapse on September 30, 2017 and reallocate those funds.

The secretary would be required to submit a report to congress detailing the amount of assistance provided to institutions affected by the hurricanes through the reallocation of funds and the amount of non-federal matching funds that were waived.

The bill designates the previous provisions as an emergency requirement in regards to pay-as-you-go. As a result, a pay-for is not required.

All of the previous provisions would sunset on September 30, 2018.

The Secretary of Education was also provided these [authorities](#) after Hurricane Katrina and Hurricane Rita in 2005.

Finally, the bill amends [20 U.S.C. 7881](#) to allow private school children and teachers to participate in [Project SERV](#) (School Emergency Response to Violence). The program funds education-related services for local education agencies and institutions of higher education that have been disrupted from violent or traumatic crises.

COMMITTEE ACTION:

S. 1866 was introduced on September 26, 2017. On September 26, 2017, the bill was agreed to in the Senate by unanimous consent.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

A constitutional authority statement is not required for bills that originate in the Senate.