



# Coalition for Higher Education Act Reform

1623 Connecticut Avenue, NW • 3<sup>rd</sup> Floor • Washington, DC 20009

voice: (202) 232-7111 • fax: (202) 293-8344

e-mail: [heareform@raiseyourvoice.com](mailto:heareform@raiseyourvoice.com) • web site: [www.raiseyourvoice.com](http://www.raiseyourvoice.com)

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Dear Presbyterian Ministers:

The Coalition for Higher Education Act Reform (CHEAR) is a coalition of religious, education, criminal justice, recovery and civil rights organizations working to repeal the Higher Education Act (HEA) drug provision, which denies eligibility for federal financial aid to students with past drug convictions. This provision has a disproportionate effect on low- and middle-income students who rely on financial aid to attend school. Tennessee Senators Bill Frist and Lamar Alexander, both Presbyterians, are key Senators on the Senate Health, Education, Labor and Pensions (HELP) Committee and both have the opportunity to help repeal this unjust law as Congress reconciles the House and Senate budget proposals by year's end. The Presbyterian Church of the USA has already endorsed full repeal of the HEA drug provision and your support will strengthen our chances of getting the Tennessee Senators to do the right thing. As a Pastor and a Presbyterian, you have the opportunity to ask Senators Frist and Alexander to restore financial aid to those students who are seeking a better life through education by repealing the ban.

Currently, students who have been convicted of drug possession and sale charges are ineligible for federal financial aid. Since the law was enacted in 2000, more than 175,000 potential students have lost their financial aid because of the ban. Both chambers of Congress have included their different proposed changes to the HEA drug provision to their proposed budget bills. The House bill H.R. 4241, would allow students with past drug convictions to remain eligible for federal financial aid, but continue to bar students convicted of a drug offense while in school from receiving financial aid. The Senate bill, S. 1932, eliminates the retroactivity of the law for possession offenses only, but also bars the Department of Education from asking an applicant about possession convictions on the Free Application for Federal Student Assistance (FAFSA).

We need to encourage Senators Frist and Alexander to further the progress that has already been made and remove the drug question from the FAFSA altogether. The Coalition for Higher Education Act Reform (CHEAR) and the more than 250 organizations supporting full repeal of the law are making a strong push to encourage Congress to restore financial aid to as many students as possible this Congress. Now is the time to take action. We can still influence the conference committee, where negotiators will hammer out the differences in the proposed changes to the drug provision. CHEAR is asking that Congress combine the best of both chambers proposed changes to the drug provision by eliminating the law's "reach-back" effect for all offenses and removing the drug question, or question 31, from the Free Application for Federal Student Aid (FAFSA). Undoubtedly, drug use is a mistake that should not be taken lightly, but the drug provision excessively punishes students a second time for offenses they have already paid for through the criminal justice system. In the spirit of forgiveness, these students deserve a second chance. Please encourage Senators Frist and Alexander to work to strengthen the progress that the House and Senate have made in the reauthorization of the Higher Education Act by removing question 31 from the FAFSA and eliminating the drug provision's "reach back" effect for all offenses.

Included in this letter you will find a sample letter and a sample phone script to use when contacting your members of Congress. Feel free to edit these samples as you see fit and then write, sign, and fax or mail a copy to your Senators and CHEAR. You can fax CHEAR at 202-293-8344. Your Senators fax numbers can be located at [www.raiseyourvoice.com/lookup.html](http://www.raiseyourvoice.com/lookup.html). With your help we can convince Congress that forgiving and helping people who have made mistakes in the past is the right thing to do.

Thank you,

Chris Mulligan  
Campaign Director

Encl: a sample letter, call script, and a list of supportive organizations

### **Sample Letter**

The following is a sample letter, which you may want to edit or send in its entirety, or only use as background in writing your own letter.

Dear Senator \_\_\_\_\_:

As Congress works to reconcile the differences in the House and Senate budget proposals, I would like to encourage you to continue the work that has already been done in scaling back the Higher Education Act (HEA) drug provision. Since the HEA drug provision was enacted in July 2000, more than 175,000 students have lost their financial aid because of this blanket federal policy.

As a fellow Presbyterian, I encourage you to take the lead in scaling back the provision further as the budget reconciliation process takes place. The Presbyterian Church (USA) has stated “because education is a powerful antidote to drug abuse and crime, we advocate the repeal of the amendment to the Higher Education Act denying college aid to students convicted of drug offenses.” I hope that you agree and will further the already pending reforms by eliminating the “reach back” effect of the law for both possession and sales offenses as well as remove the drug question, or question 31, from the Free Application for Federal Student Aid (FAFSA).

As a Presbyterian minister, I believe that forgiveness is essential to a healthy and successful community. The 175,000 students who have lost their aid because of this law have all paid for their previous criminal activities through the criminal justice system and oftentimes through their academic institutions. The drug provision is an unnecessarily harsh punishment that follows these students after they have served their sentence. These students are working to rebuild their lives and education is one of the tools that can help them to succeed.

I applaud you for all of your efforts in Congress and I hope that you will continue the progress made in scaling back the HEA drug provision by eliminating the law’s retroactivity for all offenses and removing the drug question from the FAFSA. Thank you for your time. I would appreciate a response with your thoughts on this matter.

Sincerely,

(Your Name,  
Address)

### **Sample Phone Script**

When calling your legislators, you might find the following sample script helpful:

“Hi, this is \_\_\_\_\_, and I’m calling from \_\_\_\_\_ (Church/Organization).

I am calling to encourage Senator \_\_\_\_\_ to continue the progress that Congress has made in scaling back the Higher Education Act drug provision. Both chambers of Congress have made significant headway in scaling back this harmful law in their respective Deficit Reduction Acts of 2005, H.R. 4241 and S. 1932. I want to encourage the Senator to further this progress by eliminating the “reach back” effect of the drug provision for both sales and possession offenses and to remove the drug question from the Free Application for Federal Student Aid (FAFSA).

Since the drug provision took effect in July of 2000, more than 175,000 students have lost their financial aid because of a prior drug conviction.

Once again, I strongly urge Sen. \_\_\_\_\_ to ensure that financial aid is restored to the thousands of students affected by this misguided policy.”

### **Notes**

If, in the unlikely event that the staffer might ask, you can cite the “drug provision” as section 484(r) of the Higher Education Act of 1965, or Title 20, section 1091(r) of the U.S. Code.