



Coalition for Higher Education Act Reform

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ACTION ALERT

Urge Members of the House to Repeal the HEA Drug Provision

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Issue

On March 9, 2005, 56 members of Congress introduced the Removing Impediments to Student Education (RISE) Act, H.R. 1184. If passed, the RISE Act would fully repeal the Higher Education Act (HEA) Drug Provision, which has denied aid to over 160,500 students with prior drug convictions since taking effect in 2000.

We need to convince members of the House of Representatives to co-sponsor this bill and fully repeal the HEA Drug Provision. To make this happen, it is imperative that organizations like yours get involved in this effort today!

Background on HEA

Added in 1998 as an amendment to the Higher Education Act (HEA), the "drug provision" (section 484(r), or 20 USC 1091(r)) excludes students with drug convictions from receiving federal financial aid to attend institutions of higher learning. The provision has had the effect of disqualifying a large number of deserving, low- to middle-income students from receiving federal aid to attend college for what are often relatively minor drug offenses, including misdemeanor marijuana possession.

Action Needed

We need Members of the House to support and pass the RISE Act and fully repeal the HEA Drug Provision. Write, fax, call, or schedule personal visits with your representatives and urge them to support H.R. 1184. (See the sample letter and phone script below.) Only a strong constituent voice like yours can convince the House that this is a law they should repeal.

You can easily send a fax or email to your representative by visiting: <http://ga0.org/campaign/heahouse>

To find your representatives' district and DC offices' address and phone number visit www.house.gov

Keep Us Informed

When you send your letters or faxes, please send us a copy. In addition, when you receive a response, please pass it along to us, as it is quite helpful in gauging legislators' positions by their responses to your letters, faxes, and personal meetings. This helps us to be more effective in our advocacy by tailoring our message to their individual concerns.

For more information on the HEA Drug Provision and how to become active in the campaign to repeal it, please visit <http://www.raiseyourvoice.com> online. For further suggestions on talking points or strategy, please contact Chris Mulligan by e-mail at cmulligan@raiseyourvoice.com or by phone at (202) 293-8340.

Sample Letter

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

Dear Representative _____:

Please support repeal of the Higher Education Act (HEA) Drug Provision, a law that since taking effect in 2000 has delayed or denied aid to more than 160,500 students with past drug convictions. I am asking you to cosponsor the Removing Impediments to Students' Education (RISE) Act, H.R. 1184, in the 109th Congress and fully repeal the HEA Drug Provision. On March 9, the RISE Act was introduced in the U.S. Congress with 56 co-sponsors.

Earlier this year the congressionally-appointed Advisory Committee on Student Financial Assistance, a bipartisan commission tasked with examining ways to simplify the financial aid process, called on Congress to repeal the HEA Drug Provision. The report calls the question about drug convictions on the FAFSA form "irrelevant," and asserts that it "... add(s) complexity to the form and can deter some students from applying for financial aid."

The HEA drug provision is troubling for numerous reasons:

* It is economically discriminatory and only affects the children of low- and middle-income families who rely on student loans, federal work-study programs, Pell Grants, and other forms of aid to help finance their educations. These are the very students and families whom the HEA set out to assist by expanding their educational opportunities.

* It is inappropriate to punish people twice for the same offense. Individuals with drug convictions are already punished by the criminal justice system and oftentimes their school as well.

* Studies have shown that those convicted of crimes are far less likely to be re-arrested after having received two years of postsecondary education and that students who leave school after their first year have a dramatically reduced return rate.

Therefore, it does not seem in anyone's best interest to take students out of school for drug offenses. I fear that denying such students the opportunity to pull themselves out of the dangerous cycles of poverty and poor lifestyle choices may lead some of them to destructive behavior which we will later pay for in crime and tax dollars.

President Bush has said that "America is the land of the second chance." I ask you to embrace that message by working to ensure that Congress corrects the mistake it made in 1998. Please cosponsor and support legislation in the 109th Congress that will fully repeal the HEA Drug Provision.

Thank you in advance for your attention on this important issue, and I would certainly appreciate a response with your thoughts.

Sincerely,

Your Name
Address

Sample Phone Script

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

“Hi, my name is _____, and I’m calling from _____.

I’m calling to encourage Representative _____ to take the lead in repealing a law that denies financial aid to students with drug convictions. The Representative would be able to repeal the law by supporting H.R. 1184, also known as the RISE Act.

This law was passed as a rider provision – without any debate – during the last reauthorization of the Higher Education Act in 1998. Since the Drug Provision was enacted in 2000, over 160,500 students have been ineligible for aid as a result of their answer to the question about drug convictions on the FAFSA.

Once again, I strongly urge Rep. _____ to support repeal of the HEA Drug Provision.”

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.