

Dear Chairman Kennedy and Ranking Member Enzi:

We, the undersigned, join our voices as organizations representing millions of Americans concerned with opportunities for education, recovery from addiction, faith, civil rights, and law, to call on Congress to remove a harmful roadblock to higher education. We refer to the Higher Education Act Aid Elimination Penalty (20 U.S.C. 1091(r)), which has stripped college financial aid from nearly 200,000 aspiring students with drug convictions since taking effect in 2000. While the penalty is intended to reduce drug abuse, it actually fosters the opposite effect by blocking access to education to Americans committed to getting their lives back on track.

Please include language repealing this provision in the pending HEA Reauthorization bill being considered by the Health, Education, Labor & Pensions Committee. Doing so would reinstate aid to aspiring students by removing the confusing drug conviction question from the Free Application for Federal Student Aid, as recommended by Congress's own Advisory Committee on Student Financial Assistance. The committee called the question "irrelevant" to determining eligibility and stated that it "add[s] complexity to the form and can deter some students from applying for financial aid" -- even some who are actually eligible but assume the question implies they are not.

Education has enormous benefits - for individuals and for society. According to the U.S. Census Bureau, college graduates contribute more than twice as much to the federal income tax pool than those with only high school diplomas. Numerous studies have concluded that persons who obtain college degrees are far less likely to break the law and become costly drains on the criminal justice system or to rely on programs like food stamps or public housing(1). Denying aid to otherwise qualified applicants costs taxpayers more in the long run through lost tax revenue and increased spending on law enforcement and social programs.

Federal college aid programs require students to make satisfactory academic progress to maintain eligibility. Therefore, the penalty only punishes hardworking students who are doing well in their classes and who are likely to be good investments in our nation's economic future, regardless of their past mistakes. Also troubling is that the penalty affects only persons on the lower end of the economic spectrum who rely on financial aid. Finally, because of unresolved racial disparities in drug law enforcement, the penalty has a disproportionate impact on people of color.

Though a partial reform enacted last year limits the penalty's impact to a smaller number of people, tens of thousands of would-be students continue to suffer its ill effects, all of whom have already been punished for their offenses through the criminal justice system. Substance abuse professionals consider positive steps like education - continuing and completing it - to be a crucial opportunity for persons seeking to overcome or avoid substance abuse, but the penalty eliminates that option for thousands every year.

For these and other reasons, more than 300 organizations across the country have called for the full repeal of the aid elimination penalty(2). America's chance to reopen doors of opportunity to tens of thousands of bright and eager would-be students is now. We respectfully urge you to repeal this law in full through the HEA reauthorization currently before you.

Sincerely,

The Coalition for Higher Education Act Reform