AMENDMENT NO._______ Calendar No._____

Purpose: To amend the Higher Education Act of 1965 to permit institutions of higher education to provide payment to third-party entities that provide the institutions with student recruitment services.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

H.R. 1735

To amend the Higher Education Act of 1965— military
military
Depart-
personnel
powers.

AMENDMENT No. 1878
By: McCaIN
To: AMEND No. 1463

Page(s)

Amendment proposed by Mr. McCaIN to the amendment (No. 1463)

Viz:

1 At the appropriate place, insert the following:

2 SEC. _____. THIRD-PARTY SERVICE PROVIDERS.

3 Section 487(a)(20) of the Higher Education Act of

4 1965 (20 U.S.C. 1094(a)(20)) is amended by adding at

5 the end the following: “Notwithstanding the preceding

6 sentence, an institution may provide payment, based on

7 the amount of tuition generated by the institution from

8 student enrollment, to a third-party entity that provides
a set of services to the institution that includes student
recruitment services, regardless of whether the third-party
entity is affiliated with an institution that provides edu-
cational services other than the institution providing such
payment, if—

“(A) the third-party entity is not affiliated
with the institution providing such payment;

“(B) the third-party entity does not make
compensation payments to its employees that
are prohibited under this paragraph;

“(C) the set of services provided to the in-
stitution by the third-party entity include serv-
ices in addition to student recruitment services,
and the institution does not pay the third-party
entity solely or separately for student recruit-
ment services provided by the third-party enti-

ty; and

“(D) any student recruitment information
available to the third-party entity, including
personally identifiable information, will not be
used by, shared with, or sold to any other per-
son or entity, including any institution that is
affiliated with the third-party entity.”.