

115TH CONGRESS  
1ST SESSION

# H. R. 3784

To amend the Higher Education Act of 1965 to clarify the treatment of technical errors in applications for Federal TRIO programs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 2017

Mr. DAVIDSON (for himself, Mr. DANNY K. DAVIS of Illinois, Mr. POLIQUIN, and Mr. ESPAILLAT) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Higher Education Act of 1965 to clarify the treatment of technical errors in applications for Federal TRIO programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Common Sense Oppor-  
5 tunities Act”.

6 **SEC. 2. APPLICATION STATUS.**

7 Section 402A(c)(7) of the Higher Education Act of  
8 1965 (20 U.S.C. 1070a–11(c)(7)) is amended by striking

1 “8 months” each place it appears and inserting “4  
2 months”.

3 **SEC. 3. TREATMENT OF TECHNICAL ERRORS IN APPLICA-**  
4 **TIONS.**

5 Section 402A(c)(8) of the Higher Education Act of  
6 1965 (20 U.S.C. 1070a–11(c)(8)) is amended by adding  
7 at the end the following:

8 “(D) TREATMENT OF TECHNICAL ERRORS  
9 IN APPLICATIONS.—

10 “(i) IN GENERAL.—Except as pro-  
11 vided in clause (ii), the Secretary may not  
12 reject an application for a grant or con-  
13 tract under this chapter solely because  
14 such application contains a technical error.

15 “(ii) EXCEPTION.—The Secretary  
16 may reject an application for a grant or  
17 contract under this chapter solely because  
18 such application contains a technical error  
19 only if—

20 “(I) the Secretary provides notice  
21 of the technical error by email and  
22 phone to the primary contact person,  
23 authorized representative, and project  
24 director identified in the application  
25 and, as part of such notice, specifi-

1 cally identifies the technical error in  
2 the text of the application;

3 “(II) during a period of not  
4 fewer than 7 business days after pro-  
5 viding notice to the applicant under  
6 subclause (I), and in accordance with  
7 clause (iii), the Secretary allows the  
8 applicant to submit a revised applica-  
9 tion that corrects the technical error  
10 identified in such notice; and

11 “(III) the applicant—

12 “(aa) does not submit to the  
13 Secretary a revised application  
14 that corrects the technical error  
15 identified in the notice under  
16 subclause (I) before the expira-  
17 tion of the period described in  
18 subclause (II); or

19 “(bb) submits to the Sec-  
20 retary a revised application that  
21 contains a new technical error or  
22 does not correct the technical  
23 error identified in the notice  
24 under subclause (I).

1                   “(iii) TREATMENT OF REVISED APPLI-  
2                   CATIONS.—The Secretary shall treat a re-  
3                   vised application submitted under clause  
4                   (ii)(II) in the same manner as a timely  
5                   submitted application that did not contain  
6                   the technical error corrected in such re-  
7                   vised application. The peer review score of  
8                   a revised application submitted under  
9                   clause (ii)(II) shall not be reviewable by  
10                  any officer or employee of the Department  
11                  of Education other than the Secretary.

12                  “(iv) TECHNICAL ERROR DEFINED.—  
13                  In this subparagraph, the term ‘technical  
14                  error’ means a nonsubstantive error in an  
15                  application, including an error in for-  
16                  matting, spacing, number of pages, font  
17                  size or style, and an error in rounding or  
18                  any other typographical error in a pro-  
19                  posed budget.”.

20 **SEC. 4. REPORTS TO CONGRESS.**

21                  Section 402H(a)(1) of the Higher Education Act of  
22                  1965 (20 U.S.C. 1070a–18(a)(1)) is amended—

23                         (1) in subparagraph (D), by striking “and” at  
24                         the end;

1           (2) in subparagraph (E), by striking the period  
2           at the end; and

3           (3) by adding at the end the following:

4                   “(F) identify each entity that received a  
5                   grant or contract under this chapter during the  
6                   period covered by the report and indicate the  
7                   dollar amount of each such grant or contract;

8                   “(G) identify each entity that applied for,  
9                   but did not receive, a grant or contract under  
10                  this chapter during the period covered by the  
11                  report and indicate the reason that the entity  
12                  did not receive the grant or contract for which  
13                  it applied; and

14                  “(H) set forth the information described in  
15                  subparagraphs (F) and (G) separately for each  
16                  State and local educational agency concerned.”.

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