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Drug Rule Challenged in House

By Charisse Dengler

In an effort to discourage drug use on college campuses, Rep. Mark Souder (R-IN) created an amendment that is doing much more harm than good.

The 1998 amendment to the Higher Education Act makes it impossible for a student who has had a drug conviction since the age of 18 to receive federal aid for at least a year. In addition, students who have been convicted three times for using drugs or at least twice for selling drugs are permanently prohibited from receiving aid.

Supporters of the amendment are quick to point out that students can become eligible again if they undergo drug-treatment programs, but the cost of enrollment is usually enough to keep them out.

"This law doesn't deter drug use. It deters education," said Adam Wolf, an attorney with the American Civil Liberties Union's Drug Law Reform Project in Santa Cruz, CA, in a Los Angeles Times interview.

Not only does the amendment keep prospective students out of higher education, punishing them for a crime they've already paid for once, but it also discriminates against students convicted of drug-related crimes.

Students who have been convicted of crimes such as shoplifting, drunk driving, murder, or rape are not affected by the amendment and may continue to receive federal student aid. A drug conviction is the only type of conviction that results in ineligibility.

Rep. Barney Frank (D-MA) is one of many people fighting to have the amendment abolished; he introduced H.R.1184, which is currently in congressional committee.