

'What happened to a second chance?'

By Sam Farr, Member of Congress

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Let me open with a hypothetical situation. Say there's a proven strategy for limiting the chances of continued drug use by an individual, a plan that offers the opportunity to earn a living wage, to be a productive member of society. Sounds like a no-brainer, right?

It is, as long as you're not a Republican member of Congress.

In 1998, the GOP-controlled Congress amended the Higher Education Act--a bill that provides financial assistance for college students--to include a provision preventing students with even minor drug charges from receiving federal student aid. And even though hundreds of groups have come out in opposition to this provision, Republican leaders continue to support it.

Luckily, with Democrats back in control of Congress, we're making efforts to repeal this ill-conceived scheme.

Rep. Barney Frank, a stalwart Democrat from Massachusetts, has introduced the "Removing Impediments to Students' Education Act," a bill that would repeal the punitive drug provision.

Since 2000, the aid elimination provision has deprived financial aid to 200,000 students with drug convictions. Mind you, these students have already paid their debt to society; this double jeopardy is mean-spirited and helps no one.

Republicans paint this issue as black and white. They claim that students who have used illegal drugs in the past don't deserve an education, that they have somehow lost the privilege to improve their lives.

I say this is not so, and it's well past time that we repeal this rule that unfairly punishes college students, particularly poor and minority students.

It's not only congressional Democrats who feel this way. The repeal of this penalty is supported by a broad coalition of education, legal and health organizations. Of course, Republicans regularly bash these groups.

Mark Souder, an Indiana Republican, went so far as to call the groups who are advocating for repeal as "a small but determined coalition of drug-legalization groups." This is quite a charge, especially since among the organizations you'll find the National Education Association, the American Bar Association and the United Methodist Church.

This type of rhetoric has no use in political debate and I'm pleased that these comments are receiving the scrutiny and criticism they deserve.

The aid elimination provision is simply a bad policy. College graduates earn more money than those who can't attend, contribute more to society and are less likely to use drugs. In addition, studies have shown that the rule does nothing to deter drug use, reinforcing the punitive nature of the provision.

This rule also serves to target poor students, those who are most in need of financial aid. Students whose families have enough money to pay for college face no additional penalties, but low-income families who desperately need the money are out of luck. In addition, the only students who qualify for financial aid are those receiving good grades, so the Republican argument that these young students don't have the drive to succeed is misplaced.

Even more illogically, the GOP provision doesn't target any other crimes. While a student who is caught with a marijuana pipe loses financial aid, a convicted rapist or murderer does not.

Are there situations where those convicted of serious drug offenses should be refused federal

benefits? Yes. But students who have been convicted of minor, non-violent drug offenses and are struggling to improve their lives through education should not be saddled with further injury.

Making sure as many young people go to college as possible is especially important in this time of economic uncertainty. Just last month, the economy lost 17,000 jobs. That is quite a flip from the 70,000 jobs that economists expected the economy to add during the month. This was the first dip in job growth in four years.

America is a society built upon justice and second chances. To remove the most important opportunity for advancement from those students most in need of a college education is bad policy.

We must encourage young people to go to college and receive the education they need to succeed. This is just another obstacle thrown up for students who strive to succeed. It's below us as Americans, and we must fight to repeal this provision.