

To the office of U.S. Representative Adelita S. Grijalva

Re: HR 10672 (119th Congress), America's College Promise Act of 2026 • Latest action (2026-10-01):

Referred to the House Committee on Education and Workforce.

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Office of record (Congress.gov): 1203 Longworth House Office Building, Washington, DC • (202) 225-2435

Federal-State Community College Promise Partnership Act

The measure, as described from the official record: Make community college free for resident students and lower early college costs for low-income students, while improving high school standards, transfer paths, and student completion.

THE PROPOSAL

Congress has power to spend for the general welfare, not power to run state schools. Article I, Section 8, Clause 1 grants the spending power, carried out by laws under Article I, Section 8, Clause 18, while the Tenth Amendment reserves control of public schools and colleges to the states. This VFA proposal therefore uses voluntary grants with a firm cap and a fixed end date, and leaves curriculum, diplomas, and transfer rules under state control. The strongest objection is that federal money will still pressure states to follow federal school policy; this draft answers that by making participation voluntary, by limiting state plans to public disclosure of diploma and transfer standards, and by barring loss of other federal funds for declining to join.

The official summary states the original measure was referred to the House Committee on Education and Workforce on Oct 1, 2026. This VFA proposal would create a voluntary five-year partnership, separate from the original, to lower tuition costs while leaving control of schools with the states. No state would be required to join. A state that joins would agree to match federal funds and meet clear public goals for cost, completion, and job placement.

Participating states would waive resident tuition and fees for eligible community college students, with the federal government paying up to half the cost within the national cap. Students must live in the state, enroll at least half-time, and make steady progress toward a degree or job credential. States would set simple grade and attendance standards and give written notice and a fair appeal when aid is denied or removed. This VFA proposal would add the state match, the budget cap, and the progress and appeal rules, which the official summary does not describe in the original.

States that join would also publish how high school diploma standards relate to entry into credit-bearing college courses and how associate degrees transfer to four-year institutions. Colleges would report graduation, transfer, and employment results each year. Separate grants would help historically Black colleges and universities, tribal colleges and universities, and minority-serving institutions waive or sharply reduce tuition and fees for the first 60 credits for low-income students.

The Department of Education would run the grant program, audit spending, and halt payments for misuse. The Government Accountability Office would review costs and results and report to Congress. Funding would end after five years unless Congress votes to continue it, so lawmakers can judge results before spending more.

OPERATIVE PROVISIONS (VFA PROPOSAL)

Effective Date	School year starting after July 1, 2027, if funds are appropriated
Enforcement Mechanism	Department of Education reviews state plans and audits spending; states must repay misspent funds and offer a written appeal process for denied students, with annual public reporting on costs and completion
Funding Amount	Up to \$6 billion per year in federal grants, capped at \$30 billion over five years, with a dollar-for-dollar state match for tuition waivers
Funding Source	Federal funds appropriated for this program only, with no new tax and no use of unrelated agency funds
Oversight Body	Department of Education, with annual reports to Congress and review by the Government Accountability Office
Sunset Years	5 years

CONSTITUTIONAL BASIS

- Article I, Section 8, Clause 1
- Article I, Section 8, Clause 18
- Tenth Amendment
- Fifth Amendment Due Process

Concerns with the measure as written:

- Open-ended federal funding for tuition waivers raises questions under Article I, Section 8, Clause 1 about a clear federal purpose, a firm budget cap, and a defined end date.
 - Conditions tied to state diplomas and transfer rules raise questions under the Tenth Amendment about federal direction of state schools and colleges.
 - Tuition benefits tied to student status raise questions under Fifth Amendment Due Process about clear eligibility rules, notice, and fair review of denials.
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WHY BOTH SIDES CAN BACK IT (VFA'S ASSESSMENT)

VFA assesses this draft honors Democratic priorities by lowering tuition for community college students and reducing first 60-credit costs for low-income students at historically Black colleges and universities, tribal colleges and universities, and minority-serving institutions. VFA assesses it honors Republican and conservative priorities by keeping state participation voluntary, requiring a state funding match, capping federal spending, tying aid to steady academic progress, and ending authority after five years unless Congress votes to continue it.

Strongest objection, and the answer: The strongest objection is that federal money will still pressure states to follow federal school policy; this draft answers that by making participation

voluntary, by limiting state plans to public disclosure of diploma and transfer standards, and by barring loss of other federal funds for declining to join.

CHECK BEFORE RELYING ON THIS

Basis: The Congress.gov summary of America's College Promise Act of 2026 states the bill would fund tuition waivers at community colleges, require state plans on diplomas and transfer pathways, fund reforms to improve student outcomes, and fund tuition relief for low-income students at qualifying institutions. The same record states the bill was referred to the House Committee on Education and Workforce on October 1, 2026.

The full bill text and current law were not shown in the official summary. Readers should verify exact eligibility rules, appeal rights, tribal program terms, cost effects, and any conflict with existing education funding law at Congress.gov before action.

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