

**Calendar No. 245**

107th CONGRESS }  
*1st Session* }

SENATE

{ REPORT  
107-102

AMENDING THE CHARTER OF SOUTH-  
EASTERN UNIVERSITY OF THE DISTRICT OF  
COLUMBIA

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R E P O R T

OF THE

COMMITTEE ON GOVERNMENTAL AFFAIRS  
UNITED STATES SENATE

TO ACCOMPANY

H.R. 2061

TO AMEND THE CHARTER OF SOUTHEASTERN UNIVERSITY OF  
THE DISTRICT OF COLUMBIA



NOVEMBER 29, 2001.—Ordered to be printed

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### AMENDING THE CHARTER OF SOUTHEASTERN UNIVERSITY OF THE DISTRICT OF COLUMBIA

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Mr. LIEBERMAN, from the Committee on Governmental Affairs,  
submitted the following

#### R E P O R T

[To accompany H.R. 2061]

The Committee on Governmental Affairs, to which was referred the bill (H.R. 2061) to amend the charter of Southeastern University of the District of Columbia, and for other purposes, reports favorably thereon and recommends that the bill do pass.

#### I. PURPOSE AND SUMMARY

The purpose of H.R. 2061, a bill to amend the charter of the Southeastern University of the District of Columbia, is to amend the Charter Act of Southeastern University of the District of Columbia [50 Stat. 697], approved August 19, 1937, as amended by section 1 of 80 Stat. 883, (Public Law 89-639), enacted October 10, 1966, to eliminate a requirement in the charter of the Southeastern University of the District of Columbia that one third of its Board of Trustees be comprised of alumni of the institution.

#### II. BACKGROUND

Southeastern University, a private, nonprofit University, located at 501 I Street, S.W. in the District of Columbia, was founded in 1879. It was incorporated in the District of Columbia by an Act of Congress in 1937 (50 Stat. 697). Legislative history reflects that in receiving a Federal charter in 1937, Southeastern University, then known as the Southeastern University of the Young Men's Christian Association of the District of Columbia, joined several other institutions of higher learning in the District of Columbia, including Georgetown, George Washington, National, Catholic, and Columbus

Universities, which had previously been granted congressional charters.

Southeastern University offers associate, bachelors and masters degrees in computer science and information systems management, business management (including accounting), public administration, and liberal studies. The majority of Southeastern University's students and faculty live and work in the Washington, D.C. metropolitan area. The university has 1000 students, 60 percent of whom are women.

In 1966, Congress amended Southeastern University's charter to expand the total number of Board of Trustees members from no more than twenty-one to no more than thirty and to establish three year terms of office for membership on the Board of Trustees. (P.L. 89-639)

The charter of Southeastern University specifies that one-third of the membership of its Board of Trustees must be alumni of the University. There are currently twenty members of the Board of Trustees. Charlene Drew Jarvis, the President of Southeastern University, and Elizabeth Lisboa-Farrow, Chair of the Board of Trustees, have requested that this requirement be removed to enable the University to attract a wider pool of nominees to its Board of Trustees and strengthen the University's role in the life of the District of Columbia. Because the institution is Congressionally chartered, only Congress can make the requested change to the composition of the Board of Trustees.

### III. LEGISLATIVE HISTORY

H.R. 2061 was introduced in the House of Representatives on June 5, 2001 by Congresswoman Eleanor Holmes Norton. The bill was referred to the House Committee on Government Reform, and subsequently to the Subcommittee on the District of Columbia, which considered the bill and advanced it to the full committee on July 9, 2001. On July 25, 2001, the House Government Reform Committee approved the bill by voice vote and ordered it to be reported. The House of Representatives considered the bill under suspension of the rules and passed the bill by voice vote on September 20, 2001.

H.R. 2061 was received in the Senate on September 21, 2001, and referred to the Committee on Governmental Affairs. It was referred to the Oversight of Government Management, Restructuring, and the District of Columbia Subcommittee on October 16, 2001. The bill was unanimously polled out of the subcommittee on November 7, 2001. The full Senate Committee on Governmental Affairs considered H.R. 2061 on November 14, 2001. The Committee voted to order the bill reported by voice vote, with no Members present dissenting. Present were Senators Akaka, Durbin, Cleland, Carper, Carnahan, Thompson, Voinovich, Cochran, Bunning and Lieberman.

### IV. SECTION-BY-SECTION ANALYSIS

Section 1 eliminates the specification that one-third of the membership of the Board of Trustees of Southeastern University be graduates of such University.

Section 2 specifies that the removal of the requirement regarding alumni representation shall not affect the term of office of any individual serving on the Board of Trustees of Southeastern University as of the date of enactment.

## V. ESTIMATED COST OF LEGISLATION

### CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

*H.R. 2061—An act to amend the charter of Southeastern University of the District of Columbia*

H.R. 2061 would amend the charter of Southeastern University, eliminating the requirement that at least one-third of the board of trustees be graduates of the university. CBO estimates that enacting H.R. 2061 would have no significant impact on the federal budget. The act would not affect direct spending or receipts, so pay-as-you-go procedures would not apply. H.R. 2061 contains no inter-governmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

On August 1, 2001, CBO prepared a cost estimate for H.R. 2061 as ordered reported by the House Committee on Government Reform on July 25, 2001. The two versions of the legislation are identical, as are the cost estimates.

The CBO staff contact for this estimate is Matthew Pickford. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

## VI. EVALUATION OF REGULATORY IMPACT

Paragraph 11(b)(1) of rule XXVI of the Standing Rules of the Senate requires that each report accompanying a bill evaluate the “regulatory impact which would be incurred in carrying out this bill.” Carrying out H.R. 2061 would have no regulatory impact.

## VII. CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic and existing law, in which no change is proposed, is shown in roman):

### 50 Stat. 697

\* \* \* \* \*

SEC. 3. The management of the said corporation shall be vested in a board of trustees consisting of not less than nine nor more than thirty in number as determined from time to time by said board of trustees. [one-third of whom, at all times, shall be graduates of said university, of the qualifications prescribed by said board of trustees, nominated by the alumni of said university in the manner prescribed by said board of trustees, and all of whom shall be elected by said board of trustees.] Each trustee shall be [elected for a term] *elected by the board for a term* of office of three years from the date of expiration of the term for which his predecessor was elected; except that (1) in expanding or reducing the

number of trustees under this Act, the board of trustees shall have the authority to fix or adjust the terms of office of such additional or remaining trustees, as the case may be, so that the terms of office of not more than one-third of the trustees shall expire annually; and (2) a trustee elected to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be elected only for the unexpired term of such predecessor.