

107TH CONGRESS  
1ST SESSION

# S. 1653

To provide student loan forgiveness to the surviving spouses of the victims  
of the September 11, 2001, tragedies.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 8, 2001

Mr. SCHUMER (for himself and Mrs. CLINTON) introduced the following bill;  
which was read twice and referred to the Committee on Health, Edu-  
cation, Labor, and Pensions

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## A BILL

To provide student loan forgiveness to the surviving spouses  
of the victims of the September 11, 2001, tragedies.

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 “September 11 Sur-  
5       viving Spouse Student Loan Relief Act”.

6       **SEC. 2. CANCELLATION OF STUDENT LOAN INDEBTEDNESS**  
7       **FOR SPOUSES.**

8       (a) DEFINITIONS.—For purposes of this section:

9               (1) ELIGIBLE SPOUSE.—The term ‘eligible  
10       spouse’ means the spouse of an individual who

1 served as a policeman, fireman, other safety or res-  
2 cue personnel, member of the Armed Forces, or any  
3 other individual, who died (or dies) or became (or  
4 becomes) permanently and totally disabled due to in-  
5 juries suffered in the terrorist attack on September  
6 11, 2001, as determined in accordance with regula-  
7 tions of the Secretary.

8 (2) SECRETARY.—The term ‘Secretary’ means  
9 the Secretary of Education.

10 (3) FEDERAL STUDENT LOAN.—The term ‘Fed-  
11 eral student loan’ means any loan made, insured, or  
12 guaranteed under part B, D, or E of title IV of the  
13 Higher Education Act of 1965 (20 U.S.C. 1071 et  
14 seq., 20 U.S.C. 1087a et seq., and 20 U.S.C.  
15 1087aa et seq.).

16 (b) IN GENERAL.—The Secretary shall provide for  
17 the discharge or cancellation of the Federal student loan  
18 indebtedness of an eligible spouse in the same manner that  
19 the Federal student loan indebtedness of a student bor-  
20 rower is required to be discharged or canceled under sec-  
21 tions 437(a), 455(a)(1), and 464(c)(1)(F) of the Higher  
22 Education Act of 1965 (20 U.S.C. 1087(a), 20 U.S.C.  
23 1087e(a)(1), and 20 U.S.C. 1087dd(c)(1)(F)), as applica-  
24 ble.

1 (c) FACILITATION OF CLAIMS.—The Secretary  
2 shall—

3 (1) by regulation, establish procedures for the  
4 filing of applications for discharge or cancellation  
5 under this section that shall be prescribed and pub-  
6 lished not later than 30 days after the date of enact-  
7 ment of this Act and without regard to the require-  
8 ments of section 553 of title 5, United States Code;  
9 and

10 (2) take such actions as may be necessary to  
11 publicize the availability of discharge or cancellation  
12 of Federal student loan indebtedness for eligible  
13 spouses under this section.

14 (d) AVAILABILITY OF FUNDS FOR PAYMENTS.—  
15 Funds available for the purposes of making payments to  
16 lenders in accordance with section 437(a) of the Higher  
17 Education Act of 1965 (20 U.S.C. 1087(a)) for the dis-  
18 charge of indebtedness of student borrowers shall be avail-  
19 able for making payments to lenders under such section  
20 for a student borrower who is an eligible spouse.

21 (e) NO DELAY IN REGULATIONS.—Sections 482(c)  
22 and 492 of the Higher Education Act of 1965 (20 U.S.C.  
23 1089(c) and 20 U.S.C. 1098a) shall not apply to the regu-  
24 lations required by this section.

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