

108TH CONGRESS
1ST SESSION

H. R. 365

To recruit and retain more qualified individuals to teach in Tribal Colleges
or Universities.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2003

Ms. HOOLEY of Oregon (for herself, Mr. BACA, Mr. FALEOMAVAEGA, Mr. FILNER, Mr. HASTINGS of Florida, Mr. McDERMOTT, Mr. PALLONE, Mr. POMEROY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. FRANK of Massachusetts, Ms. MCCOLLUM, Mr. TOWNS, Mr. KILDEE, Mr. ABERCROMBIE, and Mr. BEREUTER) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To recruit and retain more qualified individuals to teach
in Tribal Colleges or Universities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. LOAN REPAYMENT OR CANCELLATION FOR IN-**
2 **DIVIDUALS WHO TEACH IN TRIBAL COL-**
3 **LEGES OR UNIVERSITIES.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Tribal College or University Teacher Loan Forgiveness
6 Act”.

7 (b) **PERKINS LOANS.**—

8 (1) **AMENDMENT.**—Section 465(a) of the High-
9 er Education Act of 1965 (20 U.S.C. 1087ee(a)) is
10 amended—

11 (A) in paragraph (2)—

12 (i) in subparagraph (H), by striking
13 “or” after the semicolon;

14 (ii) in subparagraph (I), by striking
15 the period and inserting “; or”; and

16 (iii) by adding at the end the fol-
17 lowing:

18 “(J) as a full-time teacher at a tribal College or
19 University as defined in section 316(b).”; and

20 (B) in paragraph (3)(A)(i), by striking “or
21 (I)” and inserting “(I), or (J)”.

22 (2) **EFFECTIVE DATE.**—The amendments made
23 by paragraph (1) shall be effective for service per-
24 formed during academic year 1998–1999 and suc-
25 ceeding academic years, notwithstanding any con-
26 trary provision of the promissory note under which

1 a loan under part E of title IV of the Higher Edu-
2 cation Act of 1965 (20 U.S.C. 1087aa et seq.) was
3 made.

4 (c) FFEL AND DIRECT LOANS.—Part G of title IV
5 of the Higher Education Act of 1965 (20 U.S.C. 1088
6 et seq.) is amended by adding at the end the following:

7 **“SEC. 493C. LOAN REPAYMENT OR CANCELLATION FOR IN-**
8 **DIVIDUALS WHO TEACH IN TRIBAL COL-**
9 **LEGES OR UNIVERSITIES.**

10 “(a) PROGRAM AUTHORIZED.—The Secretary shall
11 carry out a program, through the holder of a loan, of as-
12 suming or canceling the obligation to repay a qualified
13 loan amount, in accordance with subsection (b), for any
14 new borrower on or after the date of enactment of the
15 Tribal College or University Teacher Loan Forgiveness
16 Act, who—

17 “(1) has been employed as a full-time teacher
18 at a Tribal College or University as defined in sec-
19 tion 316(b); and

20 “(2) is not in default on a loan for which the
21 borrower seeks repayment or cancellation.

22 “(b) QUALIFIED LOAN AMOUNTS.—

23 “(1) PERCENTAGES.—Subject to paragraph (2),
24 the Secretary shall assume or cancel the obligation
25 to repay under this section—

1 “(A) 15 percent of the amount of all loans
2 made, insured, or guaranteed after the date of
3 enactment of the Tribal College or University
4 Teacher Loan Forgiveness Act to a student
5 under part B or D, for the first or second year
6 of employment described in subsection (a)(1);

7 “(B) 20 percent of such total amount, for
8 the third or fourth year of such employment;
9 and

10 “(C) 30 percent of such total amount, for
11 the fifth year of such employment.

12 “(2) MAXIMUM.—The Secretary shall not repay
13 or cancel under this section more than \$15,000 in
14 the aggregate of loans made, insured, or guaranteed
15 under parts B and D for any student.

16 “(3) TREATMENT OF CONSOLIDATION LOANS.—
17 A loan amount for a loan made under section 428C
18 may be a qualified loan amount for the purposes of
19 this subsection only to the extent that such loan
20 amount was used to repay a loan made, insured, or
21 guaranteed under part B or D for a borrower who
22 meets the requirements of subsection (a), as deter-
23 mined in accordance with regulations prescribed by
24 the Secretary.

1 “(c) REGULATIONS.—The Secretary is authorized to
2 issue such regulations as may be necessary to carry out
3 the provisions of this section.

4 “(d) CONSTRUCTION.—Nothing in this section shall
5 be construed to authorize any refunding of any repayment
6 of a loan.

7 “(e) PREVENTION OF DOUBLE BENEFITS.—No bor-
8 rower may, for the same service, receive a benefit under
9 both this section and subtitle D of title I of the National
10 and Community Service Act of 1990 (42 U.S.C. 12571
11 et seq.).

12 “(f) DEFINITION.—For purposes of this section, the
13 term ‘year’, when applied to employment as a teacher,
14 means an academic year as defined by the Secretary.”.

15 **SEC. 2. AMOUNTS FORGIVEN NOT TREATED AS GROSS IN-**
16 **COME.**

17 The amount of any loan that is assumed or canceled
18 under an amendment made by this Act shall not, con-
19 sistent with section 108(f) of the Internal Revenue Code
20 of 1986, be treated as gross income for Federal income
21 tax purposes.

○