

108TH CONGRESS
1ST SESSION

H. R. 893

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2003

Mrs. MCCARTHY of New York introduced the following bill; which was referred to the Committee on Education and the Workforce

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. 3. 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, or as a member of the Armed Forces,
3 or any other individual, who died (or dies) or became
4 (or becomes) permanently and totally disabled due to
5 injuries suffered in the terrorist attack on Sep-
6 tember 11, 2001, as determined in accordance with
7 regulations of the Secretary.

8 (2) SECRETARY.—The term “Secretary” means
9 the Secretary of Education.

10 (3) FEDERAL STUDENT LOAN.—The term
11 “Federal student loan” means any loan made, in-
12 sured, or guaranteed under part B, D, or E of title
13 IV of the Higher Education Act of 1965.

14 (b) IN GENERAL.—The Secretary shall provide for
15 the discharge or cancellation of the Federal student loan
16 indebtedness of an eligible spouse in the same manner that
17 the Federal student loan indebtedness of an individual de-
18 scribed in subsection (a)(1) of this section is required to
19 be discharged or canceled under sections 437(a),
20 455(a)(1), and 464(c)(1)(F) of the Higher Education Act
21 of 1965 (20 U.S.C. 1087(a), 1087e(a)(1),
22 1087dd(c)(1)(F)), as the case may be.

23 (c) FACILITATION OF CLAIMS.—The Secretary
24 shall—

1 (1) by regulation, establish procedures for the
2 filing of applications for discharge or cancellation
3 under this section, which regulations shall be pre-
4 scribed and published within 30 days after the date
5 of enactment of this Act and without regard to the
6 requirements of section 553 of title 5, United States
7 Code; and

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

12 (d) AVAILABILITY OF FUNDS FOR PAYMENTS.—
13 Funds available for the purposes of making payments to
14 lenders in accordance with section 437(a) for the dis-
15 charge of indebtedness of individuals described in sub-
16 section (a)(1) of this section shall be available for making
17 payments under section 437(a) to the spouses of such indi-
18 viduals as required by this section.

19 (e) NO DELAY IN REGULATIONS.—Sections 482(c)
20 and 492 of the Higher Education Act of 1965 (20 U.S.C.
21 1089(c), 1098a) shall not apply to the regulations re-
22 quired by this section.

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