

109TH CONGRESS
2D SESSION

H. R. 4754

To establish a student loan forgiveness program for members of the Sudanese Diaspora to enable them to return to southern Sudan and contribute to the reconstruction effort of southern Sudan.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2006

Mr. TANCREDO (for himself, Mr. PAYNE, Mr. JEFFERSON, Mr. BISHOP of Georgia, Mr. McNULTY, Mr. HOLT, Mr. WOLF, and Mr. AL GREEN of Texas) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To establish a student loan forgiveness program for members of the Sudanese Diaspora to enable them to return to southern Sudan and contribute to the reconstruction effort of southern Sudan.

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 “Sudanese Diaspora
5 Loan Forgiveness Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) The 21-year civil war between the North
2 and the South in Sudan caused many Sudanese peo-
3 ple to flee their homeland and seek refuge in other
4 countries, including the United States.

5 (2) The United States has assisted many Suda-
6 nese citizens fleeing the violence in their homeland,
7 including the Lost Boys in 2001, a group of approxi-
8 mately 3,800 children that were separated from
9 their parents during the civil war and who fled on
10 foot to Ethiopia, walking more than 1,000 kilo-
11 meters on the four-month journey, and who then
12 fled again to Kenya to avoid forcible repatriation to
13 Sudan.

14 (3) Approximately 5,640 Sudanese citizens have
15 been granted refugee status in the United States in
16 Fiscal Years 2003 and 2004 alone.

17 (4) The National Congress Party Government
18 and the Sudanese People's Liberation Movement
19 (SPLM) signed the Comprehensive Peace Agreement
20 in Nairobi, Kenya, on January 9, 2005, formally
21 ending the conflict between the North and the South
22 and creating a new Government of Sudan that con-
23 sists of a coalition of opposition groups and the
24 former regime.

1 (5) With the signing of the Comprehensive
2 Peace Agreement in Nairobi, Kenya, on January 9,
3 2005, the Government of Southern Sudan’s plans
4 for reconstruction in Southern Sudan are moving
5 forward.

6 (6) Sudanese refugees in the United States
7 have acquired a reputation for being an extremely
8 resilient group, and a number of them have, after
9 adjusting to a new life in the United States, chosen
10 to pursue a higher education, and now have profes-
11 sional skills to contribute to the rebuilding of their
12 homeland.

13 **SEC. 3. ESTABLISHMENT OF PROGRAM.**

14 (a) STAFFORD LOANS.—Part B of title IV of the
15 Higher Education Act of 1965 is amended by inserting
16 after section 428K (20 U.S.C. 1078–11) the following new
17 section:

18 **“SEC. 428L. LOAN FORGIVENESS FOR MEMBERS OF THE SU-**
19 **DANESE DIASPORA.**

20 “(a) STATEMENT OF PURPOSE.—It is the purpose of
21 this section to encourage members of the Sudanese Dias-
22 pora in the United States to return to Southern Sudan
23 for purposes of contributing to the reconstruction efforts
24 there.

1 “(b) PROGRAM AUTHORIZED.—From the amount ap-
2 propriated under subsection (f) for any fiscal year, the
3 Secretary of Education shall, in accordance with sub-
4 section (c) and in consultation with the Secretary of State,
5 carry out a program, through the holder of the loan, of
6 assuming the obligation to repay a qualified loan amount
7 for a loan made under section 428 or 428H for any bor-
8 rower who—

9 “(1) as of the date of the enactment of this sec-
10 tion, is a Sudanese citizen who—

11 “(A) has been granted refugee or asylum
12 status in the United States;

13 “(B) has been granted lawful permanent
14 resident status in the United States; or

15 “(C) is a naturalized United States citizen;

16 “(2) commits to returning to Southern Sudan
17 for a period of five or more years for purposes of
18 contributing professional skills to repairing the dam-
19 age to the infrastructure of Southern Sudan caused
20 by the Sudanese civil war, as approved by the Sec-
21 retary for purposes of this section; and

22 “(3) is not in default on a loan for which the
23 borrower seeks forgiveness.

24 “(c) QUALIFIED LOANS AMOUNT.—

1 “(1) IN GENERAL.—Of the aggregate of the
2 loan obligation on a loan made under section 428 or
3 428H that is outstanding to an individual who meets
4 the requirements of subsection (b), the Secretary
5 may, from funds appropriated under subsection (f),
6 repay not more than—

7 “(A) \$3,000 after the first calendar year
8 of service described in subsection (b)(2);

9 “(B) \$4,000 after the second such year of
10 service;

11 “(C) \$5,000 after the third such year of
12 service;

13 “(D) \$6,000 after the fourth such year of
14 service; and

15 “(E) \$7,000 after the fifth such year of
16 service.

17 “(2) AWARD BASIS.—The Secretary shall make
18 payments under this subsection on a first-come first-
19 served basis, subject to the availability of appropria-
20 tions.

21 “(d) ADDITIONAL PROVISIONS.—

22 “(1) TREATMENT OF CONSOLIDATION LOANS.—
23 A loan amount for a loan made under section 428C
24 may be a qualified loan amount for the purposes of
25 this subsection only to the extent that such loan

1 amount was used to repay a Federal Direct Stafford
2 Loan, a Federal Direct Unsubsidized Stafford Loan,
3 or a loan made under section 428 or 428H for a
4 borrower who meets the requirements of subsection
5 (b), as determined in accordance with regulations
6 prescribed by the Secretary.

7 “(2) DOUBLE BENEFITS PROHIBITED.—No bor-
8 rower may receive a reduction of loan obligations
9 under both this section and section 460A.

10 “(e) REGULATIONS.—The Secretary shall, in con-
11 sultation with the Secretary of State, issue such regula-
12 tions as may be necessary to carry out the provisions of
13 this section.

14 “(f) CONSTRUCTION.—Nothing in this section shall
15 be construed to authorize any refunding of any repayment
16 of a loan.

17 “(g) AUTHORIZATION OF APPROPRIATIONS.—For fis-
18 cal year 2006 and for each of the 5 succeeding fiscal years,
19 there are authorized to be appropriated such sums as may
20 be necessary to repay loans in the amounts specified in
21 subsection (c)(1).”.

22 (b) DIRECT LOANS.—Part D of title IV is amended
23 by inserting after section 460 (20 U.S.C. 1087j) the fol-
24 lowing new section:

1 **“SEC. 460A. LOAN FORGIVENESS FOR MEMBERS OF THE SU-**
2 **DANESE DIASPORA.**

3 “(a) STATEMENT OF PURPOSE.—It is the purpose of
4 this section to encourage members of the Sudanese Dias-
5 pora in the United States to return to Southern Sudan
6 for purposes of contributing to the reconstruction efforts
7 there.

8 “(b) PROGRAM AUTHORIZED.—From the amount ap-
9 propriated under subsection (f) for any fiscal year, the
10 Secretary of Education shall, in accordance with sub-
11 section (c) and in consultation with the Secretary of State,
12 carry out a program of canceling the obligation to repay
13 a qualified loan amount in accordance with subsection (c)
14 for Federal Direct Stafford Loans and Federal Direct Un-
15 subsidized Stafford Loans made under this part for any
16 borrower who—

17 “(1) as of the date of the enactment of this sec-
18 tion, is a Sudanese citizen who—

19 “(A) has been granted refugee or asylum
20 status in the United States;

21 “(B) has been granted lawful permanent
22 resident status in the United States; or

23 “(C) is a naturalized United States citizen;

24 “(2) commits to returning to Southern Sudan
25 for a period of five or more years for purposes of
26 contributing professional skills to repairing the dam-

1 age to the infrastructure of Southern Sudan caused
 2 by the Sudanese civil war, as approved by the Sec-
 3 retary for purposes of this section; and

4 “(3) is not in default on a loan for which the
 5 borrower seeks forgiveness.

6 “(c) QUALIFIED LOANS AMOUNT.—

7 “(1) IN GENERAL.—Of the aggregate of the
 8 loan obligation on a Federal Direct Stafford Loans
 9 and Federal Direct Unsubsidized Stafford Loan that
 10 is outstanding to an individual who meets the re-
 11 quirements of subsection (b), the Secretary may,
 12 from funds appropriated under subsection (f), repay
 13 not more than—

14 “(A) \$3,000 after the first calendar year
 15 of service described in subsection (b)(2);

16 “(B) \$4,000 after the second such year of
 17 service;

18 “(C) \$5,000 after the third such year of
 19 service;

20 “(D) \$6,000 after the fourth such year of
 21 service; and

22 “(E) \$7,000 after the fifth such year of
 23 service.

24 “(2) AWARD BASIS.—The Secretary shall make
 25 payments under this subsection on a first-come first-

1 served basis, subject to the availability of appropria-
2 tions.

3 “(d) ADDITIONAL PROVISIONS.—

4 “(1) TREATMENT OF CONSOLIDATION LOANS.—

5 A loan amount for Federal Direct Consolidation
6 Loan may be a qualified loan amount for the pur-
7 poses of this subsection only to the extent that such
8 loan amount was used to repay a Federal Direct
9 Stafford Loan, a Federal Direct Unsubsidized Staf-
10 ford Loan, or a loan made under section 428 or
11 428H for a borrower who meets the requirements of
12 subsection (b), as determined in accordance with
13 regulations prescribed by the Secretary.

14 “(2) DOUBLE BENEFITS PROHIBITED.—No bor-
15 rower may receive a reduction of loan obligations
16 under both this section and section 428L.

17 “(e) REGULATIONS.—The Secretary shall, in con-
18 sultation with the Secretary of State, issue such regula-
19 tions as may be necessary to carry out the provisions of
20 this section.

21 “(f) CONSTRUCTION.—Nothing in this section shall
22 be construed to authorize any refunding of any repayment
23 of a loan.

24 “(g) AUTHORIZATION OF APPROPRIATIONS.—For fis-
25 cal year 2006 and for each of the 5 succeeding fiscal years,

1 there are authorized to be appropriated such sums as may
2 be necessary to repay loans in the amounts specified in
3 subsection (c)(1).”.

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