

Calendar No. 323

109TH CONGRESS
1ST SESSION**S. 731****[Report No. 109-205]**

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

IN THE SENATE OF THE UNITED STATES

APRIL 6, 2005

Mr. CONRAD (for himself, Mr. BURNS, Mr. JOHNSON, Mr. DORGAN, Mr. KOHL, Mr. DOMENICI, Mr. BINGAMAN, Mr. THUNE, and Mr. MCCAIN) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

DECEMBER 12, 2005

Reported by Mr. MCCAIN, with amendments

[Omit the part struck through and insert the part printed in italic]

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Tribal Colleges and
5 Universities Teacher Faculty Loan Forgiveness Act”.

1 SEC. 2. LOAN REPAYMENT OR CANCELLATION FOR INDIVIDUALS WHO TEACH IN TRIBAL COLLEGES
2
3 OR UNIVERSITIES.

4 (a) PERKINS LOANS.—

8 (A) in paragraph (2)—

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

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

13 (iii) by adding at the end the fol-
14 lowing:

15 “(J) as a full-time ~~teacher~~ *faculty member* at a
16 Tribal College or University as defined in section
17 316(b)”; and

18 (B) in paragraph (3)(A)(i), by striking “or
19 (J)” and inserting “(L) or (J)”

1 cation Act of 1965 (20 U.S.C. 1087aa et seq.) was
2 made.

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

6 **“SEC. 493C. LOAN REPAYMENT OR CANCELLATION FOR IN-**

7 **DIVIDUALS WHO TEACH IN TRIBAL COL-**
8 **LEGES OR UNIVERSITIES.**

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

16 “(1) has been employed as a full-time ~~teacher~~
17 *faculty member* at a Tribal College or University as
18 defined in section 316(b); and

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

21 “(b) QUALIFIED LOAN AMOUNTS.—

22 “(1) PERCENTAGES.—Subject to paragraph (2),
23 the Secretary shall assume or cancel the obligation
24 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 Colleges and Universi-
4 ties ~~Teacher~~ Faculty Loan Forgiveness Act to
5 a student under part B or D, for the first or
6 second year of employment described in sub-
7 section (a)(1);

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

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

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

17 “(3) TREATMENT OF CONSOLIDATION LOANS.—
18 A loan amount for a loan made under section 428C
19 may be a qualified loan amount for the purposes of
20 this subsection only to the extent that such loan
21 amount was used to repay a loan made, insured, or
22 guaranteed under part B or D for a borrower who
23 meets the requirements of subsection (a), as deter-
24 mined in accordance with regulations prescribed by
25 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) EFFECT ON SECTION.—Nothing in this section
5 shall be construed to authorize any refunding of any re-
6 payment 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. 12601
11 et seq.).

12 "(f) DEFINITION.—For purposes of this section, the
13 term 'year', when applied to employment as a ~~teacher~~ *fac-
14 ulty member*, means an academic year as defined by the
15 Secretary.".

16 SEC. 3. LOAN REPAYMENT FOR NURSING INSTRUCTORS AT
17 TRIBAL COLLEGES OR UNIVERSITIES.

18 Section 846(a)(3) of the Public Health Service Act
19 (42 U.S.C. 297n(a)(3)) is amended—

20 (1) by striking "(3)" and inserting "(3)(A)":

21 (2) by inserting “or” after the semicolon; and
22 (3) by adding at the end the following:

23 “(B) who is a nursing instructor at a tribally
24 controlled college or university (as such term is de-
25 fined in section 2 of the Tribally Controlled College

1 or University Assistance Act of 1978 (25 U.S.C.
2 1801), or any institution listed in section 532 of the
3 Equity in Educational Land-Grant Status Act of
4 1994 (7 U.S.C. 301 note));”.

5 SEC. 4. AMOUNTS FORGIVEN NOT TREATED AS GROSS IN-
6 COME.

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

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