

Mr. GARRETT of New Jersey. Madam Speaker, I rise today to support the Higher Education Relief Act, the HEROES Act, as it is called.

Since September 11 and now with the activities of the war in Iraq, this Nation is sending our men and women, our young sons and daughters, into harm's way, into a conflict the likes of which this Nation has never seen before. And they do so in the name of America, in the name of liberty, freedom and dignity, which the United States stands for.

But during this time, this legislation will now grant to the Secretary of Education the authority and the power to grant to the students who are overseas now the relief that they need. It does that in three ways. First of all, it provides to the Reservists who are leaving from their jobs to go overseas right now relief from making student loan payments for a period of time while they are away.

Secondly, it provides to the borrowers and to the families who are back here at home relief from receiving letters and phone calls from the lenders while they are in service. And, thirdly, this legislation provides relief through consecutive service requirements to be considered uninterrupted while they are overseas.

Madam Speaker, I urge all of my colleagues to support the HEROES Act and to support our troops as well.

TRIBUTE TO CESAR CHAVEZ

(Mr. BACA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BACA. Madam Speaker, Cesar Chavez was a champion for the poor and underserved people in America. He did not care about politics, money, or votes; he cared about people and their children. He sacrificed so they may have a better life.

Cesar gave Latinos in this country a voice. He touched the lives of millions with nonviolent struggle for justice, education, equality, and hope.

His life is a testament to the notion that victory can be won without violent confrontation. He used boycotts, pickets, strikes, and fasts to achieve this goal. But he never raised his hand or encouraged his followers to raise their hands in anger or hate or violence. This is a lesson that the world should be reminded of right now.

Cesar was committed so that he would be willing to sacrifice his own life so that violence was not used. He fasted many times. He proved that his commitment through his persistence, hard work, faith, and willingness to sacrifice for La Causa.

The terrible suffering of the farm workers and their children by crushing farm workers' rights, the dangers of pesticides, the denial of fair and Federal elections, Cesar's fast was a heartfelt prayer for purification and strength for all of those who worked

beside him in this movement. His words will always be true in our lives that say: Si, se puede.

Yesterday was Cesar Chavez's birthday. This would be a great day to honor him in the Nation every year. I urge my colleagues to cosponsor H. Res. 112 calling for a National Cesar Chavez holiday.

□ 1215

IRAQ

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Madam Speaker, our forces have been in action in Iraq for 2 weeks. In that time, they have achieved great success. They have moved hundreds of miles and are beginning to encircle Baghdad and the regime of Saddam Hussein.

They have begun to distribute humanitarian aid to the long-suffering people of Iraq. They have weakened the enemy forces significantly. They have fought off groups of Saddam's thugs who are desperate to hold on to power. In short, the plan is going forward in an undaunted fashion.

As President Bush had stated time and time again, we may not know the duration of this war, but we do know its outcome: Our forces will disarm Iraq and will force the tyrannical regime of Saddam Hussein from power. The day of liberation for the people of Iraq is near, and they will be free. We will not tire, and we will not stop until we achieve our goals. I have no doubt that our forces are up to the task.

I urge every American to keep the men and women of our Armed Forces in their thoughts and in their prayers. We must support our troops as they fight to protect freedom and to defeat the forces of terror.

IN SUPPORT OF VETERANS

(Ms. LINDA T. SÁNCHEZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LINDA T. SÁNCHEZ. Madam Speaker, I stand before Members today outraged at the disgraceful treatment of our Nation's veterans. While some may disagree with the United States' decision to lead the charge against Iraq, all would agree that the men and women putting their lives on the line deserve our unwavering support. These volunteers deserve respect not only during times of war, but also when they return home.

The administration has spent a great deal of time showcasing our proud troops, but that same administration is attempting to make cuts to health care and other benefits that impact our veterans. Unless this body takes action, many veterans will be financially responsible for paying for the injuries they receive as a direct result of their

sacrifice in defending us and our values.

This is hypocrisy at its best. What kind of message does this send to our troops? It says that we appreciate them putting their lives on the line when we need them, but we cannot offer them that same assistance when they need us.

House Concurrent Resolution 95, the budget resolution that recently passed the House, would require an across-the-board cut of 1 percent in mandatory appropriations for veterans programs. This budget would cut compensation for service-connected disabilities and education benefits and other health care funding by \$14 billion over the next 10 years.

In addition, while the Bush budget anticipates an increase in the number of veterans eligible for compensation due to service-connected disabilities, the budget does not add one dime for benefits for additional disabilities and deaths.

As an American, as a patriot, and as a Member of this esteemed body, I encourage all Members to support the efforts to restore the funding cuts in mandatory spending for veterans benefits. Our past and future veterans deserve the respect and gratitude of this Nation. The least we can do is take care of them when they return home from defending our American values.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. CAPITO). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

HIGHER EDUCATION RELIEF OPPORTUNITIES FOR STUDENTS ACT OF 2003

Mr. KLINE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1412) to provide the Secretary of Education with specific waiver authority to respond to a war or other military operation or national emergency.

The Clerk read as follows:

H.R. 1412

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; FINDINGS; REFERENCE.

(a) SHORT TITLE.—This Act may be cited as the "Higher Education Relief Opportunities for Students Act of 2003".

(b) FINDINGS.—The Congress finds the following:

(1) There is no more important cause than that of our nation's defense.

(2) The United States will protect the freedom and secure the safety of its citizens.

(3) The United States military is the finest in the world and its personnel are determined to lead the world in pursuit of peace.

(4) Hundreds of thousands of Army, Air Force, Marine Corps, Navy, and Coast Guard reservists and members of the National Guard have been called to active duty or active service.

(5) The men and women of the United States military put their lives on hold, leave their families, jobs, and postsecondary education in order to serve their country and do so with distinction.

(6) There is no more important cause for this Congress than to support the members of the United States military and provide assistance with their transition into and out of active duty and active service.

(c) REFERENCE.—References in this Act to “the Act” are references to the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

SEC. 2. WAIVER AUTHORITY FOR RESPONSE TO MILITARY CONTINGENCIES AND NATIONAL EMERGENCIES.

(a) WAIVERS AND MODIFICATIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, unless enacted with specific reference to this section, the Secretary of Education (referred to in this Act as the “Secretary”) may waive or modify any statutory or regulatory provision applicable to the student financial assistance programs under title IV of the Act as the Secretary deems necessary in connection with a war or other military operation or national emergency to provide the waivers or modifications authorized by paragraph (2).

(2) ACTIONS AUTHORIZED.—The Secretary is authorized to waive or modify any provision described in paragraph (1) as may be necessary to ensure that—

(A) recipients of student financial assistance under title IV of the Act who are affected individuals are not placed in a worse position financially in relation to that financial assistance because of their status as affected individuals;

(B) administrative requirements placed on affected individuals who are recipients of student financial assistance are minimized, to the extent possible without impairing the integrity of the student financial assistance programs, to ease the burden on such students and avoid inadvertent, technical violations or defaults;

(C) the calculation of “annual adjusted family income” and “available income”, as used in the determination of need for student financial assistance under title IV of the Act for any such affected individual (and the determination of such need for his or her spouse and dependents, if applicable), may be modified to mean the sums received in the first calendar year of the award year for which such determination is made, in order to reflect more accurately the financial condition of such affected individual and his or her family;

(D) the calculation under section 484B(b)(2) of the Act (20 U.S.C. 1091b(b)(2)) of the amount a student is required to return in the case of an affected individual may be modified so that no overpayment will be required to be returned or repaid if the institution has documented (i) the student’s status as an affected individual in the student’s file, and (ii) the amount of any overpayment discharged; and

(E) institutions of higher education, eligible lenders, guaranty agencies, and other entities participating in the student assistance programs under title IV of the Act that are located in areas that are declared disaster areas by any Federal, State or local official in connection with a national emergency, or whose operations are significantly affected by such a disaster, may be granted temporary relief from requirements that are rendered infeasible or unreasonable by a national emergency, including due diligence requirements and reporting deadlines.

(b) NOTICE OF WAIVERS OR MODIFICATIONS.—

(1) IN GENERAL.—Notwithstanding section 437 of the General Education Provisions Act (20 U.S.C. 1232) and section 553 of title 5, United States Code, the Secretary shall, by notice in the Federal Register, publish the waivers or modifications of statutory and regulatory provisions the Secretary deems necessary to achieve the purposes of this section.

(2) TERMS AND CONDITIONS.—The notice under paragraph (1) shall include the terms and conditions to be applied in lieu of such statutory and regulatory provisions.

(3) CASE-BY-CASE BASIS.—The Secretary is not required to exercise the waiver or modification authority under this section on a case-by-case basis.

(c) IMPACT REPORT.—The Secretary shall, not later than 15 months after first exercising any authority to issue a waiver or modification under subsection (a), report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate on the impact of any waivers or modifications issued pursuant to subsection (a) on affected individuals and the programs under title IV of the Act, and the basis for such determination, and include in such report the Secretary’s recommendations for changes to the statutory or regulatory provisions that were the subject of such waiver or modification.

(d) NO DELAY IN WAIVERS AND MODIFICATIONS.—Sections 482(c) and 492 of the Higher Education Act of 1965 (20 U.S.C. 1089(c), 1098a) shall not apply to the waivers and modifications authorized or required by this Act.

SEC. 3. TUITION REFUNDS OR CREDITS FOR MEMBERS OF ARMED FORCES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) all institutions offering postsecondary education should provide a full refund to students who are affected individuals for that portion of a period of instruction such student was unable to complete, or for which such individual did not receive academic credit, because he or she was called up for active duty or active service; and

(2) if affected individuals withdraw from a course of study as a result of such active duty or active service, such institutions should make every effort to minimize deferral of enrollment or reapplication requirements and should provide the greatest flexibility possible with administrative deadlines related to those applications.

(b) DEFINITION OF FULL REFUND.—For purposes of this section, a full refund includes a refund of required tuition and fees, or a credit in a comparable amount against future tuition and fees.

SEC. 4. USE OF PROFESSIONAL JUDGMENT.

A financial aid administrator shall be considered to be making a necessary adjustment in accordance with section 479A(a) of the Act if the administrator makes adjustments with respect to the calculation of the expected student or parent contribution (or both) of an affected individual, and adequately documents the need for the adjustment.

SEC. 5. DEFINITIONS.

In this Act:

(1) ACTIVE DUTY.—The term “active duty” has the meaning given such term in section 101(d)(1) of title 10, United States Code, except that such term does not include active duty for training or attendance at a service school.

(2) AFFECTED INDIVIDUAL.—The term “affected individual” means an individual who—

(A) is serving on active duty during a war or other military operation or national emergency;

(B) is performing qualifying National Guard duty during a war or other military operation or national emergency;

(C) resides or is employed in an area that is declared a disaster area by any Federal, State, or local official in connection with a national emergency; or

(D) suffered direct economic hardship as a direct result of a war or other military operation or national emergency, as determined by the Secretary.

(3) MILITARY OPERATION.—The term “military operation” means a contingency operation as such term is defined in section 101(a)(13) of title 10, United States Code.

(4) NATIONAL EMERGENCY.—The term “national emergency” means a national emergency declared by the President of the United States.

(5) SERVING ON ACTIVE DUTY.—The term “serving on active duty during a war or other military operation or national emergency” shall include service by an individual who is—

(A) a Reserve of an Armed Force ordered to active duty under section 12301(a), 12301(g), 12302, 12304, or 12306 of title 10, United States Code, or any retired member of an Armed Force ordered to active duty under section 688 of such title, for service in connection with a war or other military operation or national emergency, regardless of the location at which such active duty service is performed; and

(B) any other member of an Armed Force on active duty in connection with such war, operation, or emergency or subsequent actions or conditions who has been assigned to a duty station at a location other than the location at which such member is normally assigned.

(6) QUALIFYING NATIONAL GUARD DUTY.—The term “qualifying National Guard duty during a war or other military operation or national emergency” means service as a member of the National Guard on full-time National Guard duty (as defined in section 101(d)(5) of title 10, United States Code) under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under section 502(f) of title 32, United States Code, in connection with a war, another military operation, or a national emergency declared by the President and supported by Federal funds.

SEC. 6. TERMINATION OF AUTHORITY.

The provisions of this Act shall cease to be effective at the close of September 30, 2005.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. KLINE) and the gentleman from Ohio (Mr. RYAN) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. KLINE).

GENERAL LEAVE

Mr. KLINE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous matter on H.R. 1412.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KLINE. Madam Speaker, I yield myself 3 minutes.

Madam Speaker, I am pleased to bring forward, along with several of my colleagues, the Higher Education Relief Opportunities for Students, or HEROES, Act of 2003. This is a bill that

expresses the support and commitment of the United States House of Representatives to the troops who protect and defend the United States.

Throughout our involvement in the war on terrorism, many thousands of men and women who serve our Nation in the Reserves or National Guard of the Armed Forces, whether the Army, Navy, Air Force, Marine Corps, other than Coast Guard, have been called to active duty or active service. Many of these men and women are also college and university students who are called away from their families, class work and studies to defend our Nation. Unfortunately, due to a number of restrictions in the Higher Education Act, these individuals are at risk of losing financial assistance and/or educational credit as a result of their service.

Such a scenario is clearly not acceptable. The HEROES Act provides assurance to our men and women in uniform that they will not face education-related financial or administrative difficulties while they defend our Nation. The HEROES Act achieves this by granting the Secretary of Education the authority to address the specific needs of each student whose education is interrupted when they are called to service.

This bill is specific in its intent to ensure that as a result of a war, military contingency operation, or national emergency our men and women are protected. By granting flexibility to the Secretary of Education, the HEROES Act will protect recipients of student financial assistance from further financial difficulty generated when they are called to serve, minimize administrative requirements without affecting the integrity of the programs, adjust the calculation used to determine financial need to accurately reflect the financial condition of the individual and his or her family, and provide the Secretary with the authority to address issues not yet foreseen.

Following the September 11, 2001, attacks on our Nation, Members of this House united to unanimously pass similar legislation which helped ease the burden on students, institutions, and families affected by the attacks on our Nation. Today, the men and women serving in Operation Iraqi Freedom and in other parts of the world deserve the same support.

I am pleased that a number of my colleagues have signed on as cosponsors of this legislation. This is an indication of Congress' commitment to our military, our students, our families, and our schools. I urge my colleagues to stand in strong support of the Higher Education Relief Opportunities for Students Act and join me in voting yes on H.R. 1412.

Madam Speaker, I reserve the balance of my time.

Mr. RYAN of Ohio. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of the HEROES Act introduced by

my colleague, the gentleman from Minnesota (Mr. KLINE), and thank him for doing so. This HEROES Act is appropriate at this time, as we have become very familiar over the past few weeks, watching the war unlike we have ever watched a war before. To address this very serious issue of the student loan repayment, this is altogether fitting and proper.

This is a great first step for this Chamber to make; but Madam Speaker, I believe that as we continue to watch and become aware that this war is not going to be as quick as we thought it was going to be, as this war begins to extend, and as our troops who were activated for possibly months or a year, this conflict now may stretch to 2 years or to 3 years, specifically dealing with the student loans, as we talk about forbearance in that the Secretary will have the opportunity to forbear a loan as our servicemen and servicewomen are activated, this will allow them not to pay on their student loans for the time that they are active.

Unfortunately, while they are still serving our country, making great sacrifices, the interest on their loan will still be accruing; so this is a great first step, but I think we can do much better. I think we in the Chamber, as we go forward in the next few weeks, should continue to try to extend these benefits, possibly allow these soldiers to defer their loans, and to subsidize the interest, so when they get back after serving this country, they will not owe more than when they left. I think that is a small step that we should make in order to support our troops as we should.

I have a bill that is the Active Reservists and National Guard Student Loan Relief Act which would do this, and I think we should look into it. Some soldiers who have \$50,000 in student loans will accrue \$2,600 in interest if they are serving for only 1 year. When they come back, they will owe \$2,600 more.

Madam Speaker, I urge us to vote in support of the HEROES Act, but continue to be open-minded with other options in which we can show support for our troops.

Madam Speaker, I reserve the balance of my time.

Mr. KLINE. Madam Speaker, I yield myself such time as I may consume.

I thank the gentleman for his remarks, and appreciate his commitment to the troops and his desire to extend additional benefits to those now serving. I look forward to work with the gentleman on that.

Madam Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. ISAKSON).

Mr. ISAKSON. Madam Speaker, I want to thank the gentleman from Minnesota (Mr. KLINE) for introducing this important piece of legislation. Last Friday in Atlanta, Georgia, at our State Capitol, and along with the gentlemen from Georgia, Mr. GINGREY and Mr. LINDER, and our Governor, I signed

a proclamation commending the employers of our men and women who have been called up to active duty from the Reserves, to commend them for the sacrifice those companies are giving, and to commend them on their commitment to reemploy and keep those jobs for those troops when they come home.

It is only appropriate that we in Congress today do exactly what we are doing with regard to student loans. I support the HEROES Act of 2003, which gives the Secretary the authority under title IV of the Higher Education Act to make those waivers and deferments that are necessary to ensure that our troops whose lives have been disrupted suddenly, and now serve us in the Middle East and in Iraq, to make sure that their families are not harassed by collectors and that their loan payments are deferred until they return; and also encourage those institutions of higher learning that have accepted tuition for semesters or quarters that now cannot be fulfilled because that Reservist has been activated to refund the tuition back to those Reservists. So when they return home they can enjoy a full quarter or semester, and they can get every dollar that they have invested in every bit of education they have paid for.

The gentleman from Minnesota (Mr. KLINE) is doing what all of us in Congress want to do: showing in every way and every facet every appreciation for those brave men and women who serve in our Reserves, and at a moment's notice, go in harm's way on behalf of the defense of everything we do in this country.

I commend the gentleman for his introduction, and I urge every Member of the House to support the HEROES Act of 2003.

Mr. KLINE. Madam Speaker, it is my pleasure to yield 3 minutes to the distinguished gentleman from Ohio (Mr. BOEHNER), chairman of the Committee on Education and the Workforce.

Mr. BOEHNER. Madam Speaker, I thank my colleague for yielding time to me, and congratulate the gentleman from Minnesota (Mr. KLINE), one of our freshman members of the committee, for the introduction of this bill.

Let me also thank my colleague, the gentleman from Ohio (Mr. RYAN), another freshman member of our committee, for his contributions to this effort.

None of us believe that our active duty soldiers should be in a position where they are going to have to make payments on their student loans while in fact they are not here. This discretion has been given to the Secretary under the Higher Education Act Amendments, the recent reauthorization.

What we want to do here is to make it clear to the Secretary that not only does he have that authority and we expect that he will work with it, but also to give him a more permanent authority in the case of a national emergency

that he can, in fact, defer these payments.

Members of our committee have a very good relationship with the Secretary of Education. He is working with those institutions and agencies today to ensure that our active duty soldiers, sailors, airmen, and the rest have this protection. I do think the passage of this will give him clear authority to make sure that they and their families do not have this in this time of war.

□ 1230

Again, I wanted to congratulate both of my colleagues for their efforts on this bill and urge all of my colleagues in the House to support the HEROES Act of 2003.

Mr. RYAN of Ohio. Madam Speaker, I yield myself such time as I may consume.

I would also like to thank the chairman of the committee for all of his work also on this effort. He has been great to work with; and I think, again, this is a good first step for us to take. And while he is here, I just wanted to mention a couple of people, one who is from my district in Ohio, Krista Rosado, Madam Speaker. She is a Reservist in my district. She has been called to duty for up to 2 years for the war on terror. She is a technical sergeant, and she has student loans in the amount of \$11,400 with a 7 percent interest rate.

Now, under the current legislation that we are dealing with, she will accrue over \$1,400 in additional interest on her loan. So when she does get back from service, she will owe this money. And I think the natural next step for us to take is to say to Krista, thank you for your service, thank you for your sacrifice, and we will take care of the interest on your loan while you were over serving your country.

Mr. BOEHNER. Madam Speaker, will the gentleman yield?

Mr. RYAN of Ohio. I yield to the gentleman from Ohio.

Mr. BOEHNER. Madam Speaker, as I have mentioned to the gentleman and staff, we have worked on his important addition to this bill, but under the 1973 Budget Act we are required to find offsets. As the gentleman is aware, there is about a \$10 million cost estimate from the CBO on this bill. But I commit to the gentleman we will continue to work with you to try to find these offsets under the Budget Act so that we can, in fact, bring this bill to the floor.

Mr. RYAN of Ohio. Reclaiming my time, I thank the gentleman, and I look forward to working with him.

Madam Speaker, I reserve the balance of my time.

Mr. REYNOLDS. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. MCKEON), the chairman of the Subcommittee on 21st Century Competitiveness.

Mr. MCKEON. Madam Speaker, I rise in strong support of H.R. 1412, the Higher Education Relief Opportunity

for Student Act of 2003, or more appropriately called the HEROES Act. I want to thank my colleague from Minnesota (Mr. KLINE) and the gentleman from Ohio (Mr. RYAN) for their leadership in bringing this bill to the floor, especially the gentleman from Minnesota (Mr. KLINE), who spent 25 years as a Marine and learned great leadership skills with that great body and now is bringing those great leadership skills here to Congress which are exemplified by him bringing this bill to the floor.

The HEROES Act provides the Secretary of Education with specific waiver authority under title IV of the Higher Education Act, which governs student financial assistance programs. The Secretary would be able to provide relief to those students with student loans and other title IV assistance who have been called to active duty and those active duty military being reassigned to different duty stations. We are asking a great deal of our men and women in the military. They are going forward to fight in Operation Iraqi Freedom, and they are doing so with great distinction. Their lives are being disrupted, and we need to give them our full support. The last thing these men and women need to worry about is making a student loan payment or worry about how they will reenroll in schooling when they return.

H.R. 1412 will provide the Secretary of Education with the opportunity to relieve those concerns and allow them to focus on the difficult and dangerous jobs that they have been assigned to do. This bill will also relieve the burdens on the families here at home because they will not have to deal with loan collectors hounding them for students loan payments, among other things.

Another important aspect of the HEROES Act is that it allows the Secretary of Education to act quickly should a situation arise that has not been considered. It allows him to protect the interests of our military personnel while at the same time ensuring the integrity of the Federal Student Assistance Programs. The Secretary of Education is in a unique position to act as ambassador between the students, institutions of higher education, and the student aid community to ensure the necessary accommodations are provided to those who are affected by the conflict before us.

I want to applaud the Secretary and his staff for the work they have done since the tragedy of September 11 to provide the relief and flexibility to our military and others. I also want to acknowledge the efforts put forward by the postsecondary education community, lenders, loan servicers, secondary markets and students loan guarantee agencies in the student loan programs who work with all of those affected by the events that have confronted us.

The bipartisan HEROES Act will go a long way in reducing some of the burdens facing our military. While it will

not solve every issue that will arise, the HEROES Act will alleviate concerns around student financial assistance and postsecondary education. It also stands as a clear indication of the commitment of this Congress to the men and women fighting to protect the freedoms of this great Nation.

I urge my colleagues to unite in their support for the brave men and women fighting in Operation Iraqi Freedom and elsewhere and strongly support the bipartisan HEROES Act. I look forward to swift passage of this legislation.

Mr. KLINE. Madam Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. BURNS), a member of the Committee on Education and the Workforce, a man with extensive experience in higher education.

Mr. BURNS. Madam Speaker, we have before us today a sensible piece of legislation that will support our troops in completing their education, a bill that will help our troops participate in the Federal financial aid program by cutting through the administrative hurdles upon their return from active duty.

H.R. 1412 would ask postsecondary institutions to provide a full refund of tuitions and fees to students for the period that they are not able to complete because of their service to America. It would also minimize difficult enrollments or reapplication requirements making it easier for military personnel to reenter the postsecondary education environment when they return from serving their Nation. The HEROES bill would excuse military personnel from their Federal student loan obligations while they are on active duty in service to the United States. While these men and women are fighting for our freedom overseas, they should not be worrying about repaying their student loans.

Our military Reservists are called to serve the Nation. It is our duty to provide them with the support and flexibility they need to avoid financial hardship as they defend freedom and protect our safety.

Madam Speaker, this is a good bill for the men and women who are fighting for our future. I am proud to be a co-sponsor of this legislation, and I urge the support of its passage from my colleagues.

Mr. RYAN of Ohio. Madam Speaker, I reserve the balance of my time.

Mr. KLINE. Madam Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. OSBORNE), my colleague on the Committee on Education and the Workforce.

Mr. OSBORNE. Madam Speaker, I would like to join those congratulating the gentleman from Minnesota (Mr. KLINE) for his introduction of H.R. 1412.

Madam Speaker, a high percentage of our military personnel are Reservists and National Guardsmen. These are ordinary citizens; they have families. Many of them are in school. Many are in higher education.

I would like to call attention to a couple of aspects of H.R. 1412 which

have heretofore been somewhat ignored. Number one, this particular legislation allows Reservists who leave college and universities for military service to return with the same academic standing as they had when they left. And this may seem kind of minor, but it is very important because in many graduate programs if you are not there for consecutive semesters, you lose your standing. You are no longer in the graduate college. Also sometimes after a period of absence, a student will lose credits and so this legislation prevents that from happening. I think that is very important. Also this legislation urges full refunds of tuition and fees for those who are called to active duty. Often times this happens in the middle of the semester, and the student may have already paid thousands of dollars in tuition and fees and normally the universities, when you drop out, do not refund these, so this does call for a full refund. And of course we have already discussed the fact that this does relieve Reservists from payments of student loans while on duty, which is very, very important.

On April 15, 2002, the State of Nebraska enacted the above provisions for those called to active duty through a memorandum agreement between the Governor and the colleges and universities. This was certainly a very good step for the State of Nebraska and, of course, this legislation to make these provisions applicable nationwide. So I urge its support and, again, want to thank the gentleman from Minnesota (Mr. KLINE) for his introduction of this bill. It is a good bill and something we can all be proud of in a bipartisan manner in this House of Representatives.

Mr. RYAN of Ohio. Madam Speaker, I yield myself 2 minutes.

Madam Speaker, I also want to thank the gentleman from Nebraska (Mr. OSBORNE), who is also a colleague of mine on the Committee on Education and the Workforce. I do not think there is a Member of this Congress who has more experience dealing with some of the hardships that young people deal with when in college. He mentioned that some of the Reservists who are on active duty and who have been activated that the HEROES Act is going to help. Sixty-seven percent of the Reservists have some college education with which this bill will be able to assist them, some college education or more; 25.8 percent have some college education but not yet have received a degree; and then of which the HEROES Act will also help 12.1 percent have an associate's degree; 20 percent have a bachelor's degree; 7 percent have a master's degree; and 2 percent have a doctoral or some professional degree. So this HEROES Act is going to address a significant number of people who are currently serving their country. Again, I commend the gentleman for introducing this legislation.

Madam Speaker, I reserve the balance of my time.

Mr. KLINE. Madam Speaker, I yield 2 minutes to the gentleman from Geor-

gia (Mr. GINGREY), another of my colleagues on the Committee on Education and the Workforce.

Mr. GINGREY. Madam Speaker, I thank the gentleman from Minnesota (Mr. KLINE) for yielding me time.

When we have legislation in this body, often times we come up with an acronym. In this particular bill, the HEROES Act, Higher Education Relief Opportunity Act for Students, what a great acronym for H.R. 1412, because truly we are talking about doing something for our young men and women who are indeed our heroes.

We emphasize so much to young people that there is nothing more valuable to them in life than an education; and we want them, indeed, all of us, to be lifelong learners, and there is no more noble calling, of course, then service to one's country and putting one's life, indeed, in harm's way for this country as these students are now doing. So I commend the gentleman from Minnesota (Mr. KLINE), my colleague on the Committee on Education and the Workforce. I commend the gentleman from Ohio (Mr. RYAN), my colleague also on this committee. In listening to his testimony, it is obvious where his heart is in regards to wanting to actually extend relief even more than this bill will do in regard to mitigating the accrual of interest during the time that these young men and women are serving our country.

And as the chairman of our committee, the gentleman from Ohio (Mr. BOEHNER), indicated, when we can figure out an opportunity to offset some of the costs of that, certainly we want to work very closely with the gentleman from Ohio. But it is indeed a wonderful bill and it is saying to these students, you can go right back to school as soon as your duty to this country is over with. The families will not be put upon during that interim for payment of interest; and I am a very proud, proud supporter of H.R. 1412, the HEROES Act.

Mr. RYAN of Ohio. Madam Speaker, I yield myself such time as I may consume.

I would like to thank the gentleman for his fine work on the committee and his pledge of support to work with us. I think given the intellect of this body, we should be able to figure out a way to make this happen and to make sure that the soldiers over there who are sacrificing and risking life and limb for our own freedoms in this country, we should be able to work it out.

In closing, Madam Speaker, again, this HEROES Act is a great first step for us. As we said earlier, this addresses a number of people who are soldiers, who are making sacrifice for this country and really for freedom around the world.

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Again, just to reiterate, the forbearance is a great first step. I think the intention of forbearing a loan, again, is for more of the shorter conflicts where

our soldiers are just going to be activated for maybe a few months, where the accrual of interest would not be that significant. But as we see this conflict start to extend from a year to 2 years, or how long the President decides, we need to understand that the accrual of that interest needs to be taken care of, because these soldiers who, many as we know are making great sacrifices not only physically, but economically at home, and many of these soldiers who are over there are not earning nearly the amount that they would be earning if they were working here in this country.

They are taking significant pay cuts, taking enormous physical risks, and so the forbearance for a short conflict, the subsidies and deferment for longer conflicts where there is an opportunity to have significant accrual of the interest, I think that is a next logical step.

We are here to support these young men and young women who are fighting for this country, not just the soldiers on the front lines, but also those following whom we have seen become prisoners of war and missing in action. This is a very dangerous endeavor that we have taken.

I thank the gentleman again and very much look forward to working with him to take this to the next step and to the next level. I very much look forward to working with the gentleman and the chairman of the committee to do that.

Madam Speaker, I yield back the balance of my time.

Mr. KLINE. Madam Speaker, I yield myself such time as I may consume.

I would like to start by saying thanks again to my colleague, the gentleman from Ohio, for his passionate interest in this bill, for his support of the bill; and I, too, look forward to working with him in the days and weeks that come ahead to make sure that we are doing the very best that we can for our men and women who have been called to active duty.

I appreciate very much the many remarks of my colleagues here today. We have had remarks from a college professor and from a college coach and from people with years of experience on this committee. I very much appreciate the work they have done on this.

I am grateful for the credit that has been given to me for bringing this bill forward, but the truth is, I am following the steps of some people who have blazed the trail ahead of me.

This is a very, very important bill. It is important for our colleagues, for families and for the men and women in uniform, and I urge my colleagues to stand in strong support of the Heroes Act and vote yes on H.R. 1412.

Mr. REYES. Madam Speaker, I rise today in support of H.R. 1412, the Higher Education Relief Opportunities for Students Act of 2003, which would assist students who have answered the call to serve our nation and students whose lives may be disrupted by a national disaster connected to the current war effort.

The Higher Education Relief Opportunities for Students Act would waive or modify any provisions applicable to federal student financial aid programs in order to assist students who are honorably serving in the Persian Gulf. These young men and women are risking their lives today to protect our nation's freedom and liberty. This bill will ensure that those members of our Armed Services who have put their studies on hold are not placed in a worse financial position as a result of their service to our nation. This is the least we can do.

In keeping with this objective, this bill will assure that administrative requirements for these armed service members are minimized. Not only will this bill prevent any financial burden that these troops may otherwise experience as a result of serving our country, but by extension will serve to facilitate their transition into and out of active service.

In addition to protecting students who today find themselves defending our nation, one of the provisions in the bill grants institutions of higher education, eligible lenders, and guaranty agencies located in any area declared a disaster temporary relief from infeasible and unreasonable requirements.

We must make sure that all of our students are protected against any burden they may face as a result of the current war. I am proud to support of H.R. 1412, the Higher Education Relief Opportunities for Students Act of 2003 and strongly urge my colleagues to do the same.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise in support of H.R. 1412.

I support H.R. 1412 because the Higher Education Relief Opportunities for Students Act of 2003 ensures that the brave young men and women of our armed services will not have their educations compromised when they answer the call to active duty.

H.R. 1412 grants the Secretary of Education the discretion to provide financial aid relief, tuition refunds, or credits to members of our Armed Forces when they respond to military operations or national emergencies.

When enlisted men and women, who are also students at colleges and universities, are called to active duty, H.R. 1412 will allow the Secretary of Education to grant waivers and statutory exceptions to protect their enrollment and financial aid status.

It will also empower the Secretary of Education with the discretion to grant a full tuition refund to members of our Armed Services who are called to active duty.

This discretion will empower the Secretary to drastically reduce the likelihood that enlisted men's and women's educations will be jeopardized by inadvertent, technical violations or defaults when they are called to service. It also ensures that members of our Armed Forces do not forfeit their tuition payments when they answer the call to service.

Hundreds of thousands of young men and women have been called to active duty in our Army, Navy, Air Force, Marine Corps, and Coast Guard.

These heroes put the safety of every American citizen before themselves. They risk their lives, and their educations, so that we can be safe.

H.R. 1412 protects the members of our Armed Forces. It ensures that they will not be in a worse position financially or in their education as a result of their status as students and soldiers.

I support H.R. 1412, Madam Speaker, because we must support the members of our Armed Forces in every way that we can, including in their educations.

Mr. HOLT. Madam Speaker, as our nation is at war in the Persian Gulf, many men and women who serve in our nation's armed forces have been called up to active duty, including many college and university students.

Many of these students participate in federal financial aid programs, and in order to ensure the utmost flexibility during the time that they are engaged in military service, it is essential that the Department of Education be given extended waiver authority to accommodate the needs of our troops.

This is why I support H.R. 1412 Higher Education Relief Opportunities for Students (HEROES) Act of 2003.

The bill will extend the waive authority granted to the Secretary of Education to allow him to provide the appropriate assistance and flexibility to our men and women in uniform as they transfer in and out of postsecondary education during a time of war.

The extended waiver authority provided for in the HEROES bill addresses the need to assist students who are being asked to disrupt their lives in the defense of the freedoms we all hold so precious.

It will also allow the Secretary to address events now unforeseen. It also urges all postsecondary institutions to provide a full refund of tuition, fees and other charges to students who are members of the Armed Forces or are serving on active duty, including the Reserves and National Guard.

What a positive message it would send to the hundreds of thousands of American men and women in uniform currently risking their lives to help them with their student loans. Recall the fine, positive effect of the GI education bills.

Our men and women deserve our help. As the brave men and women of the United States are engaged in this difficult and dangerous war we should limit the negative impacts on them and their families here at home.

I ask my colleagues to support H.R. 1412 Higher Education Relief Opportunities for Students Act.

Mr. EMANUEL. Madam Speaker. I rise today in support of H.R. 1412, the Higher Education Relief Opportunities for Students Act. This is timely, essential legislation which ensures that those brave men and women who make enormous sacrifices for our nation do not forfeit their right to an affordable and accessible education.

Members of the armed forces often spend considerable time away from their families, stall other career and educational goals, and, most significantly, expose themselves to the risk of serious injury or death. These individuals and their families deserve our greatest respect, and certainly deserve the assurance that they will not be unfairly penalized for their time spent in military service.

The promise of higher education, and the availability of federal financial assistance to make this opportunity a reality, represent key components of the American experience. It is only right that we ensure access to higher education for those who work to protect the values and privileges that we enjoy as Americans.

I applaud Congressman KLINE and the other Members of the Committee on Education and

Workforce for introducing this critical legislation and bringing it to the floor today. It is a symbol of support for the brave men and women involved in Operation Iraqi Freedom and for all of those who selflessly devote their lives to protecting our nation and our freedom.

Mr. KLINE. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. CAPITO). The question is on the motion offered by the gentleman from Minnesota (Mr. KLINE) that the House suspend the rules and pass the bill, H.R. 1412.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. KLINE. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

BUSINESS CHECKING FREEDOM ACT OF 2003

Mr. BACHUS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 758) to allow all businesses to make up to 24 transfers each month from interest-bearing transaction accounts to other transaction accounts, to require the payment of interest on reserves held for depository institutions at federal reserve banks, and for other purposes, as amended.

The Clerk read as follows:

H.R. 758

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Business Checking Freedom Act of 2003".

SEC. 2. INTEREST-BEARING TRANSACTION ACCOUNTS AUTHORIZED FOR ALL BUSINESSES.

(a) Section 2 of Public Law 93-100 (12 U.S.C. 1832) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

"(b) Notwithstanding any other provision of law, any depository institution may permit the owner of any deposit or account which is a deposit or account on which interest or dividends are paid and is not a deposit or account described in subsection (a)(2) to make up to 24 transfers per month (or such greater number as the Board of Governors of the Federal Reserve System may determine by rule or order), for any purpose, to another account of the owner in the same institution. An account offered pursuant to this subsection shall be considered a transaction account for purposes of section 19 of the Federal Reserve Act unless the Board of Governors of the Federal Reserve System determines otherwise."

(b) Effective at the end of the 2-year period beginning on the date of the enactment of this Act, section 2 of Public Law 93-100 (12 U.S.C. 1832) is amended—

(1) in subsection (a)(1), by striking "but subject to paragraph (2)";