

108TH CONGRESS
1ST SESSION

S. 378

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2003

Mr. DASCHLE (for himself, Mr. BINGAMAN, Mr. CONRAD, Mr. BAUCUS, Mr.
JOHNSON, and Mr. KOHL) introduced the following bill; which was read
twice and referred to the Committee on Indian Affairs

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. LOAN REPAYMENT OR CANCELLATION FOR IN-**
4 **DIVIDUALS WHO TEACH IN TRIBAL COL-**
5 **LEGES OR UNIVERSITIES.**

6 (a) SHORT TITLE.—This Act may be cited as the
7 “Tribal Colleges and Universities Teacher Loan Forgive-
8 ness Act”.

9 (b) PERKINS LOANS.—

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

4 (A) in paragraph (2)—

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

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

9 (iii) by adding at the end the fol-
10 lowing:

11 “(J) as a full-time teacher at a Tribal College
12 or University as defined in section 316(b).”; and

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

15 (2) EFFECTIVE DATE.—The amendments made
16 by paragraph (1) shall be effective for service per-
17 formed during academic year 1998–1999 and suc-
18 ceeding academic years, notwithstanding any con-
19 trary provision of the promissory note under which
20 a loan under part E of title IV of the Higher Edu-
21 cation Act of 1965 (20 U.S.C. 1087aa et seq.) was
22 made.

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

1 “(B) 20 percent of such total amount, for
2 the third or fourth year of such employment;
3 and

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

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

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

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

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

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

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

9 **SEC. 2. AMOUNTS FORGIVEN NOT TREATED AS GROSS IN-**
10 **COME.**

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

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