

110TH CONGRESS
1ST SESSION

S. 481

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 1, 2007

Mr. CONRAD (for himself, Mr. DOMENICI, Mr. DORGAN, Mr. MCCAIN, Mr. BINGAMAN, Mr. KOHL, and Mr. THUNE) 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. SHORT TITLE.**

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

6 **SEC. 2. LOAN REPAYMENT OR CANCELLATION FOR INDI-**
7 **VIDUALS WHO TEACH IN TRIBAL COLLEGES**
8 **OR UNIVERSITIES.**

9 (a) 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 faculty member at a Tribal
12 College or University as defined in section 316(b).”;
13 and

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

16 (2) EFFECTIVE DATE.—The amendments made
17 by paragraph (1) shall be effective for service per-
18 formed during academic year 2005–2006 and suc-
19 ceeding academic years, notwithstanding any con-
20 trary provision of the promissory note under which
21 a loan under part E of title IV of the Higher Edu-
22 cation Act of 1965 (20 U.S.C. 1087aa et seq.) was
23 made.

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

4 **“SEC. 493C. LOAN REPAYMENT OR CANCELLATION FOR IN-**
 5 **DIVIDUALS WHO TEACH IN TRIBAL COL-**
 6 **LEGES OR UNIVERSITIES.**

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

14 “(1) has been employed as a full-time faculty
 15 member at a Tribal College or University as defined
 16 in section 316(b); and

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

19 “(b) QUALIFIED LOAN AMOUNTS.—

20 “(1) PERCENTAGES.—Subject to paragraph (2),
 21 the Secretary shall assume or cancel the obligation
 22 to repay under this section—

23 “(A) 15 percent of the amount of all loans
 24 made, insured, or guaranteed after the date of
 25 enactment of the Tribal Colleges and Univer-

1 sities Faculty Loan Forgiveness Act to a stu-
2 dent under part B or D, for the first or second
3 year of employment described in subsection
4 (a)(1);

5 “(B) 20 percent of such total amount, for
6 the third or fourth year of such employment;
7 and

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

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

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

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

1 “(d) EFFECT ON SECTION.—Nothing in this section
2 shall be construed to authorize any refunding of any re-
3 payment of a loan.

4 “(e) PREVENTION OF DOUBLE BENEFITS.—No bor-
5 rower may, for the same service, receive a benefit under
6 both this section and subtitle D of title I of the National
7 and Community Service Act of 1990 (42 U.S.C. 12601
8 et seq.).

9 “(f) DEFINITION.—For purposes of this section, the
10 term ‘year’, when applied to employment as a faculty
11 member, means an academic year as defined by the Sec-
12 retary.”.

13 **SEC. 3. LOAN REPAYMENT FOR NURSING INSTRUCTORS AT**
14 **TRIBAL COLLEGES OR UNIVERSITIES.**

15 Section 846(a)(3) of the Public Health Service Act
16 (42 U.S.C. 297n(a)(3)) is amended—

- 17 (1) by striking “(3)” and inserting “(3)(A)”;
- 18 (2) by inserting “or” after the semicolon; and
- 19 (3) by adding at the end the following:

20 “(B) who is a nursing instructor at a tribally
21 controlled college or university (as such term is de-
22 fined in section 2 of the Tribally Controlled College
23 or University Assistance Act of 1978 (25 U.S.C.
24 1801), or any institution listed in section 532 of the

1 Equity in Educational Land-Grant Status Act of
2 1994 (7 U.S.C. 301 note));”.

3 **SEC. 4. AMOUNTS FORGIVEN NOT TREATED AS GROSS IN-**
4 **COME.**

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

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