

## Calendar No. 111

110TH CONGRESS  
1ST SESSION**S. 481****[Report No. 110-46]**

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

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 1, 2007

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

APRIL 10, 2007

Reported by Mr. DORGAN, without amendment

**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”.

1 **SEC. 2. LOAN REPAYMENT OR CANCELLATION FOR INDI-**  
 2 **VIDUALS WHO TEACH IN TRIBAL COLLEGES**  
 3 **OR UNIVERSITIES.**

4 (a) PERKINS LOANS.—

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

8 (A) in paragraph (2)—

9 (i) in subparagraph (H), by striking  
 10 “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 faculty member at a Tribal  
 16 College or University as defined in section 316(b).”;  
 17 and

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

20 (2) EFFECTIVE DATE.—The amendments made  
 21 by paragraph (1) shall be effective for service per-  
 22 formed during academic year 2005–2006 and suc-  
 23 ceeding academic years, notwithstanding any con-  
 24 trary provision of the promissory note under which  
 25 a loan under part E of title IV of the Higher Edu-

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 Faculty Loan Forgive-  
15 ness Act, who—

16 “(1) has been employed as a full-time faculty  
17 member at a Tribal College or University as defined  
18 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 Univer-  
4           sities Faculty Loan Forgiveness Act to a stu-  
5           dent under part B or D, for the first or second  
6           year of employment described in subsection  
7           (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 faculty  
14 member, means an academic year as defined by the Sec-  
15 retary.”.

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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1<sup>ST</sup> Session

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