

**AMENDMENT TO THE AMENDMENT IN THE
 NATURE OF A SUBSTITUTE TO H.R. 609
 OFFERED BY MR. PORTER OF NEVADA AND MRS.
 MCCARTHY OF NEW YORK**

Loan forgiveness

After section 425 of the Amendment, insert the following new section (and redesignate the succeeding sections accordingly):

**1 SEC. 426. LOAN FORGIVENESS FOR SERVICE IN AREAS OF
 2 NATIONAL NEED.**

3 Section 428K (20 U.S.C. 1078–11) is amended to
 4 read as follows:

**5 “SEC. 428K. LOAN FORGIVENESS FOR SERVICE IN AREAS OF
 6 NATIONAL NEED.**

7 “(a) PURPOSES.—The purposes of this section are—

8 “(1) to encourage highly trained individuals to
 9 enter and continue in service in areas of national
 10 need; and

11 “(2) to reduce the burden of student debt for
 12 Americans who dedicate their careers to service in
 13 areas of national need.

14 “(b) PROGRAM AUTHORIZED.—



1 “(1) IN GENERAL.—The Secretary is authorized
2 to carry out a program of assuming the obligation
3 to repay, pursuant to paragraph (2) of this sub-
4 section and subsection (d), a qualified loan amount
5 for a loan made, insured, or guaranteed under this
6 part or part D (other than loans made under section
7 428B and 428C and comparable loans made under
8 part D), for any new borrower after the date of en-
9 actment of the College Access and Opportunity Act
10 of 2005, who—

11 “(A) has been employed full-time for at
12 least 5 consecutive complete school, academic,
13 or calendar years, as appropriate, in an area of
14 national need described in subsection (c); and

15 “(B) is not in default on a loan for which
16 the borrower seeks forgiveness.

17 “(2) AWARD BASIS.—Loan repayment under
18 this section shall be on a first-come, first-served
19 basis pursuant to the designation under subsection
20 (c) and subject to the availability of appropriations.

21 “(3) REGULATIONS.—The Secretary is author-
22 ized to issue such regulations as may be necessary
23 to carry out the provisions of this section.

24 “(c) AREAS OF NATIONAL NEED.—



1 “(1) STATUTORY CATEGORIES.—For purposes
2 of this section, an individual shall be treated as em-
3 ployed in an area of national need if the individual
4 is employed full time and is any of the following:

5 “(A) EARLY CHILDHOOD EDUCATORS.—An
6 individual who is employed as an early child-
7 hood educator in an eligible preschool program
8 or child care facility in a low-income commu-
9 nity, and who is involved directly in the care,
10 development and education of infants, toddlers,
11 or young children through age five.

12 “(B) NURSES.—An individual who is
13 employed—

14 “(i) as a nurse in a clinical setting; or

15 “(ii) as a member of the nursing fac-
16 ulty at an accredited school of nursing (as
17 those terms are defined in section 801 of
18 the Public Health Service Act (42 U.S.C.
19 296)).

20 “(C) SPEECH-LANGUAGE PATHOLOGIST.—
21 An individual who is a speech-language patholo-
22 gist, who is employed in an elementary or sec-
23 ondary school, and who has, at a minimum, a
24 graduate degree in speech-language pathology,
25 or communication sciences and disorders.



1 “(D) ADDITIONAL AREAS OF NATIONAL
2 NEED.—An individual who is employed in an
3 area designated by the Secretary under para-
4 graph (2) and has completed a baccalaureate or
5 advanced degree related to such area.

6 “(2) DESIGNATION OF AREAS OF NATIONAL
7 NEED.—After consultation with appropriate Federal,
8 State, and community-based agencies and organiza-
9 tions, the Secretary shall designate areas of national
10 need. In making such designations, the Secretary
11 shall take into account the extent to which—

12 “(A) the national interest in the area is
13 compelling;

14 “(B) the area suffers from a critical lack
15 of qualified personnel; and

16 “(C) other Federal programs support the
17 area concerned.

18 “(d) QUALIFIED LOAN AMOUNT.—The Secretary
19 shall repay not more than \$5,000 in the aggregate of the
20 loan obligation on a loan made under section 428 or 428H
21 that is outstanding after the completion of the fifth con-
22 secutive school, academic, or calendar year, as appro-
23 priate, described in subsection (c)(1).



1 “(e) CONSTRUCTION.—Nothing in this section shall
2 be construed to authorize the refunding of any repayment
3 of a loan made under section 428 or 428H.

4 “(f) INELIGIBILITY OF NATIONAL SERVICE AWARD
5 RECIPIENTS.—No student borrower may, for the same
6 service, receive a benefit under both this section and sub-
7 title D of title I of the National and Community Service
8 Act of 1990 (42 U.S.C. 12601 et seq.).

9 “(g) INELIGIBILITY FOR DOUBLE BENEFITS.—No
10 borrower may receive a reduction of loan obligations under
11 both this section and section 428J or 460.

12 “(h) DEFINITIONS.—In this section

13 “(1) CHILD CARE FACILITY.—The term ‘child
14 care facility’ means a facility, including a home,
15 that—

16 “(A) provides for the education and care of
17 children from birth through age 5; and

18 “(B) meets any applicable State or local
19 government licensing, certification, approval, or
20 registration requirements.

21 “(2) EARLY CHILDHOOD EDUCATOR.—The
22 term ‘early childhood educator’ means an early
23 childhood educator employed in an eligible preschool
24 program who has completed a baccalaureate or ad-
25 vanced degree in early childhood development, early



1 childhood education, or in a field related to early
2 childhood education.

3 “(3) ELIGIBLE PRESCHOOL PROGRAM.—The
4 term ‘eligible preschool program’ means a program
5 that provides for the care, development, and edu-
6 cation of infants, toddlers, or young children
7 through age 5, meets any applicable State or local
8 government licensing, certification, approval, and
9 registration requirements, and is operated by—

10 “(A) a public or private school that may be
11 supported, sponsored, supervised, or adminis-
12 tered by a local educational agency;

13 “(B) a Head Start agency serving as a
14 grantee designated under the Head Start Act
15 (42 U.S.C. 9831 et seq.);

16 “(C) a nonprofit or community based orga-
17 nization; or

18 “(D) a child care program, including a
19 home.

20 “(4) LOW-INCOME COMMUNITY.—In this sub-
21 section, the term ‘low-income community’ means a
22 community in which 70 percent of households earn
23 less than 85 percent of the state median household
24 income.



1 “(5) NURSE.—The term ‘nurse’ means a nurse
2 who meets all of the following:

3 “(A) The nurse graduated from—

4 “(i) an accredited school of nursing
5 (as those terms are defined in section 801
6 of the Public Health Service Act (42
7 U.S.C. 296));

8 “(ii) a nursing center; or

9 “(iii) an academic health center that
10 provides nurse training.

11 “(B) The nurse holds a valid and unre-
12 stricted license to practice nursing in the State
13 in which the nurse practices in a clinical set-
14 ting.

15 “(C) The nurse holds 1 or more of the fol-
16 lowing:

17 “(i) A graduate degree in nursing, or
18 an equivalent degree.

19 “(ii) A nursing degree from a colle-
20 giate school of nursing (as defined in sec-
21 tion 801 of the Public Health Service Act
22 (42 U.S.C. 296)).

23 “(iii) A nursing degree from an asso-
24 ciate degree school of nursing (as defined



1 in section 801 of the Public Health Service
2 Act (42 U.S.C. 296)).

3 “(iv) A nursing degree from a diploma
4 school of nursing (as defined in section
5 801 of the Public Health Service Act (42
6 U.S.C. 296)).

7 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
8 are authorized to be appropriated to carry out this section
9 such sums as may be necessary fiscal year 2006 and such
10 sums as may be necessary for each of the 5 succeeding
11 fiscal years.”.

