

The Prosecutors and Defenders Incentive Act of 2005
Brief Synopsis of House and Senate Loan Forgiveness Legislation

HOUSE: H.R. 198

House Committee on Education and the Workforce

Representative Scott (D-GA) introduced HR 198, the Prosecutors and Defenders Incentive Act, on January 4, 2005; which was referred to the Committee on Education and the Workforce. The bill amends the Higher Education Act of 1965 (HEA) to establish a program of student loan forgiveness for borrowers who agree to remain employed, for at least three years, as either 1) state or local criminal prosecutors; or, 2) state, local or Federal public defenders. The loan forgiveness program is created within the Department of Education to be administered by the Secretary of Education. After the initial three-year period, borrowers may enter a contract for another period of service, which may be less than three years. Loans are to be distributed on a first-come-first-serve basis, with priority given to borrowers who have received funds from the previous year and who have completed less than three years of the first required period of service. The program adds public defenders among those eligible under the Perkins program for cancellation of student loans (prosecutors are already eligible for this), and includes eligibility for borrowers who have previously consolidated Stafford loans. The total funds any one borrower can receive is capped at \$6,000 per calendar year, and at \$40,000 total. Subject to appropriations, the bill calls for funding in the amount of \$20,000,000.

CO-SPONSORS: 13 Democrats / 1 Republicans

Sponsors and Cosponsors as of 11/28/2005

SCOTT, DAVID (D-VA) – Sponsor

CONYERS, JOHN (D-MI)

DAVIS, JO-ANN (R-VA)

DeGETTE, DIANA (D-CO)

DeLAURO, ROSA (D-CT)

FORD, HAROLD (D-TN)

GORDON, BART (D-TN)

KENNEDY, PATRICK (D-RI)

LOWEY, NITA (D-NY)

LYNCH, STEPHEN (D-MA)

MARSHALL, JIM (D-GA)

McCARTHY, CAROLYN (D-NY)

MEEHAN, MARTIN (D-MA)

OWENS, MAJOR (D-NY)

PASTOR, ED (D-AZ)

PRICE, DAVID (D-NC)

RANGEL, CHARLES (D-NY)

SCOTT, ROBERT (D-VA)

WEINER, ANTHONY (D-NY)

SENATE: S. 2039

Senate Committee on the Judiciary

Senator Durbin (D-IL) introduced S 2039, the Prosecutors and Defenders Incentive Act, on November 17, 2005; which was referred to the Committee on the Judiciary. The bill amends Title I of the Omnibus Crime Control and Safe Streets Act of 1968 to establish a program of student loan forgiveness for borrowers who agree to remain employed, for at least three years, as either 1) state or local criminal prosecutors; or, 2) state, local or Federal public defenders. The loan forgiveness program is created within the Department of Justice to be administered by the Attorney General. After the initial three-year period, borrowers may enter a contract for another period of service, which may be less than three years. Loans are to be distributed on a first-come-first-serve basis, with priority given to borrowers who have received funds from the previous year and who have completed less than three years of the first required period of service. The program adds public defenders among those eligible under the Perkins program for cancellation of student loans (prosecutors are already eligible for this), and includes eligibility for borrowers who have previously consolidated Stafford loans. The total funds any one borrower can receive is capped at \$10,000 per calendar year, and at \$60,000 total. Subject to appropriations, the bill calls for funding in the amount of \$25,000,000.

CO-SPONSOR(S): 10 Democrats / 2 Republicans

Sponsor and Cosponsors as of 11/28/2005

DURBIN, RICHARD J (D-IL) – Sponsor

AKAKA, DANIEL K (D-HI)

CANTWELL, MARIA (D-WA)

DEWINE, MIKE (R-OH)

FEINGOLD, RUSSELL D (D-WI)

FEINSTEIN, DIANNE (D-CA)

HARKIN, TOM (D-IA)

KENNEDY, EDWARD M (D-MA)

KERRY, JOHN F (D-MA)

LAUTENBERG, FRANK R. (D-NJ)

LEAHY, PATRICK J (D-VT)

PRYOR, MARK L (D-AR)

SPECTER, ARLEN (R-PA)