

106TH CONGRESS  
2D SESSION

# S. 2423

To provide Federal Perkins Loan cancellation for public defenders.

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IN THE SENATE OF THE UNITED STATES

APRIL 13, 2000

Mr. DURBIN (for himself, Mrs. FEINSTEIN, Mr. BINGAMAN, Mr. DODD, and Mr. WELLSTONE) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To provide Federal Perkins Loan cancellation for public  
defenders.

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. FEDERAL PERKINS LOAN CANCELLATION FOR**

4                               **PUBLIC DEFENDERS.**

5       (a) FINDINGS.—Congress makes the following find-  
6       ings:

7               (1) The Department of Education has issued  
8       clarifications that prosecuting attorneys are among  
9       the class of law enforcement officers eligible for ben-

1       efits under the Federal Perkins Loan cancellation  
2       program.

3           (2) Like prosecutors, public defenders also meet  
4       all the eligibility requirements of the Federal Per-  
5       kins Loan cancellation program as set forth in Fed-  
6       eral regulations.

7           (3) Public defenders are law enforcement offi-  
8       cers who play an integral role in our Nation’s adver-  
9       sarial legal process. Public defenders fill the Su-  
10      preme Court mandated role requiring that counsel  
11      be appointed for the accused, by representing the in-  
12      terests of criminally accused indigent persons.

13          (4) In order to encourage highly qualified attor-  
14      neys to serve as public defenders, public defenders  
15      should be included with prosecutors among the class  
16      of law enforcement officers eligible to receive bene-  
17      fits under the Federal Perkins Loan cancellation  
18      program.

19      (b) AMENDMENT.—Section 465(a)(2)(F) of the  
20      Higher Education Act of 1965 (20 U.S.C.  
21      1087ee(a)(2)(F)) is amended by inserting “, or as a full-  
22      time public defender for service to local, State, or Federal  
23      governments (directly or by a contract with a private, non-  
24      profit organization)” after “agencies”.

1       (c) EFFECTIVE DATE.—The amendment made by  
2 this section shall apply to—

3           (1) loans made under this part, whether made  
4 before, on, or after the date of enactment of this  
5 Act; and

6           (2) service as a public defender that is provided  
7 on or after the date of enactment of this Act.

8       (d) CONSTRUCTION.—Nothing in this section shall be  
9 construed to authorize the refunding of any repayment of  
10 a loan.

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