

## EFFECTIVE DATE OF 1996 AMENDMENT

Pub. L. 104-134, title I, §101(d) [title V, §514(b)], Apr. 26, 1996, 110 Stat. 1321-211, 1321-245, provided that: "The amendments made by subsection (a) [amending this section] shall be effective for loans made to cover the cost of instruction for periods of enrollment beginning on or after July 1, 1996."

## EFFECTIVE DATE OF 1993 AMENDMENTS

Amendment by section 2(c)(42)-(43)(A), (44), (45) of Pub. L. 103-208 effective as if included in the Higher Education Amendments of 1992, Pub. L. 102-325, except as otherwise provided, and amendment by section 2(c)(43)(B) of Pub. L. 103-208 effective on and after Apr. 1, 1994, see section 5(a), (b)(5) of Pub. L. 103-208, set out as a note under section 1051 of this title.

Pub. L. 103-66, title IV, §4047(d), Aug. 10, 1993, 107 Stat. 364, provided that: "Except as otherwise provided herein [see section 4047(c) of Pub. L. 103-66, set out below], the amendments made by this section [amending this section and repealing section 1078-1 of this title] shall take effect on July 1, 1994."

Amendment by section 4102(b) of Pub. L. 103-66 effective July 1, 1994, see section 4102(d) of Pub. L. 103-66, set out as a note under section 1078 of this title.

## EFFECTIVE DATE

Section effective with respect to loans made to cover the cost of instruction for periods of enrollment beginning on or after Oct. 1, 1992, see section 432(a)(12) of Pub. L. 102-325, set out as an Effective Date of 1992 Amendment note under section 1078 of this title.

## STUDENT ELIGIBILITY

Pub. L. 110-227, §2(b), May 7, 2008, 122 Stat. 742, provided that: "Loan limit increases authorized by the amendments made by this section [amending this section] shall be available only to students who meet the requirements of section 484(a) of the Higher Education Act of 1965 (20 U.S.C. 1091(a))."

## CONTINUING APPLICABILITY OF TERMS, CONDITIONS, AND BENEFITS OF LOANS

Pub. L. 103-66, title IV, §4047(c), Aug. 10, 1993, 107 Stat. 364, provided that: "Notwithstanding the amendments made by this section [amending this section and repealing section 1078-1 of this section], with respect to loans provided under sections 428A [former 20 U.S.C. 1078-1] and 428H of the Act [20 U.S.C. 1078-8] (as such sections existed on the date preceding the date of enactment of this Act [Aug. 10, 1993]) the terms, conditions and benefits applicable to such loans under such sections shall continue to apply to such loans after the date of enactment of this Act."

**§ 1078-9. Repealed. Pub. L. 110-84, title III, § 302(a), Sept. 27, 2007, 121 Stat. 796**

Section, Pub. L. 89-329, title IV, §428I, as added Pub. L. 102-325, title IV, §422, July 23, 1992, 106 Stat. 536; amended Pub. L. 103-208, §2(c)(46), Dec. 20, 1993, 107 Stat. 2467; Pub. L. 109-171, title VIII, §8014(i), Feb. 8, 2006, 120 Stat. 171, related to special insurance and reinsurance rules.

## EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 2007, except that section as in effect on the day before Sept. 27, 2005, shall apply to eligible lenders that received a designation under subsec. (a) of this section prior to Oct. 1, 2007, for the remainder of the year for which the designation was made, see section 302(c) of Pub. L. 110-84, set out as an Effective Date of 2007 Amendment note under section 1078 of this title.

**§ 1078-10. Loan forgiveness for teachers****(a) Statement of purpose**

It is the purpose of this section to encourage individuals to enter and continue in the teaching profession.

**(b) Program authorized**

The Secretary shall carry out a program, through the holder of the loan, of assuming the obligation to repay a qualified loan amount for a loan made under section 1078 or 1078-8 of this title, in accordance with subsection (c) of this section, for any new borrower on or after October 1, 1998, who—

(1) has been employed as a full-time teacher for 5 consecutive complete school years—

(A) in a school or location that qualifies under section 1087ee(a)(2)(A) of this title for loan cancellation for Perkins loan recipients who teach in such schools or locations; and

(B) if employed as an elementary school or secondary school teacher, is highly qualified as defined in section 7801 of this title,<sup>1</sup> or meets the requirements of subsection (g)(3); and

(2) is not in default on a loan for which the borrower seeks forgiveness.

**(c) Qualified loans amount****(1) In general**

The Secretary shall repay not more than \$5,000 in the aggregate of the loan obligation on a loan made under section 1078 or 1078-8 of this title that is outstanding after the completion of the fifth complete school year of teaching described in subsection (b)(1) of this section. No borrower may receive a reduction of loan obligations under both this section and section 1087j of this title.

**(2) Treatment of consolidation loans**

A loan amount for a loan made under section 1078-3 of this title may be a qualified loan amount for the purposes of this subsection only to the extent that such loan amount was used to repay a Federal Direct Stafford Loan, a Federal Direct Unsubsidized Stafford Loan, or a loan made under section 1078 or 1078-8 of this title for a borrower who meets the requirements of subsection (b) of this section, as determined in accordance with regulations prescribed by the Secretary.

**(3) Additional amounts for teachers in mathematics, science, or special education**

Notwithstanding the amount specified in paragraph (1), the aggregate amount that the Secretary shall repay under this section shall be not more than \$17,500 in the case of—

(A) a secondary school teacher—

(i) who meets the requirements of subsection (b) of this section; and

(ii) whose qualifying employment for purposes of such subsection is teaching mathematics or science on a full-time basis; and

(B) an elementary school or secondary school teacher—

(i) who meets the requirements of subsection (b) of this section;

(ii) whose qualifying employment for purposes of such subsection is as a special education teacher whose primary responsibility is to provide special education to

<sup>1</sup> See References in Text note below.