

117TH CONGRESS
2D SESSION

H. R. 7100

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for certain minimal levels of educational assistance to the dependents of public safety officers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2022

Ms. HERRELL (for herself, Mr. SESSIONS, Mr. WEBER of Texas, Mr. MCKINLEY, Mr. ELLZEY, Mr. RODNEY DAVIS of Illinois, Mr. GARBARINO, Ms. MACE, Mr. HIGGINS of Louisiana, and Mr. OWENS) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Education and Labor, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for certain minimal levels of educational assistance to the dependents of public safety officers, and for other purposes.

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 “They Had Our Back
5 We Have Theirs Act of 2022”.

1 **SEC. 2. IN GENERAL.**

2 Subpart 2 of part L of title I of the Omnibus Crime
3 Control and Safe Streets Act of 1968 (34 U.S.C.
4 10302(a)) is amended—

5 (1) in section 1212(a)—

6 (A) in paragraph (2), by inserting after
7 “paragraph (3)” the following: “and paragraph
8 (4)”; and

9 (B) by adding at the end the following:

10 “(4) In the case of any dependent of an eligible
11 public safety officer who is deceased, the financial
12 assistance provided under this subpart shall include
13 an amount of not less than \$25,000 which shall be
14 made available under section 1219 not later than
15 180 days after that officer’s death. Such amount
16 shall not be included for purposes of any computa-
17 tion referred to in paragraph (2).”; and

18 (2) by adding at the end the following:

19 **“SEC. 1219. FEDERAL STUDENT LOAN FORGIVENESS FOR**
20 **CHILDREN AND SPOUSES OF ELIGIBLE PUB-**
21 **LIC SAFETY OFFICERS.**

22 “(a) **FORGIVENESS REQUIRED.**—Notwithstanding
23 any other provision of law, and in addition to any other
24 benefit available under this part, the Secretary of Edu-
25 cation shall carry out a program in accordance with this
26 Act to forgive up to a total of \$25,000 of the outstanding

1 balance of interest and principal due on the applicable eli-
2 gible Federal student loans of borrowers who are children
3 or spouses of eligible public safety officers.

4 “(b) METHOD OF LOAN FORGIVENESS.—Subject to
5 subsection (c), in carrying out the loan forgiveness pro-
6 gram required under subsection (a), as soon as practicable
7 after the Secretary of Education has confirmed that an
8 applicant is a child or spouse of an eligible public safety
9 officer who is a borrower of an eligible Federal student
10 loan, the Secretary of Education shall—

11 “(1) through the holder of a loan, assume the
12 obligation to repay the outstanding balance of inter-
13 est and principal due (and any other amounts due,
14 including any other costs or fees assessed) on the
15 applicable eligible Federal student loans of the bor-
16 rower made, insured, or guaranteed under part B of
17 title IV of the Higher Education Act of 1965 (20
18 U.S.C. 1071 et seq.), or, if the holder of the loan is
19 the Secretary, cancel such outstanding balance;

20 “(2) cancel the outstanding balance of interest
21 and principal due (and any other amounts due, in-
22 cluding any other costs or fees assessed) on the ap-
23 plicable eligible Federal student loans of the bor-
24 rower made under part E of such title; and

1 “(3) through the holder of a loan, assume the
2 obligation to repay the outstanding balance of inter-
3 est and principal due (and any other amounts due,
4 including any other costs or fees assessed) on the
5 applicable eligible Federal student loans of the bor-
6 rower made, insured, or guaranteed under part D of
7 such title, or, if the holder of the loan is the Sec-
8 retary, cancel such outstanding balance.

9 “(c) MAXIMUM AMOUNT OF FORGIVENESS.—The
10 total amount of forgiveness received by a borrower under
11 this section may not exceed \$25,000 with respect to all
12 eligible Federal student loans of the borrower.

13 “(d) REPAYMENT REFUNDS PROHIBITED.—Nothing
14 in this section shall be construed to authorize any refund-
15 ing of any eligible Federal student loan repayment made
16 before the date a borrower’s loans are forgiven in accord-
17 ance with this section.

18 “(e) EXCLUSION FROM TAXABLE INCOME.—The
19 amount of a borrower’s eligible Federal student loans for-
20 given under this section shall not be included in the gross
21 income of the borrower for purposes of the Internal Rev-
22 enue Code of 1986.

23 “(f) DEFINITIONS.—In this section—

24 “(1) the term ‘eligible Federal student loan’
25 means any loan made, insured, or guaranteed under

1 part B, part D, or part E of title IV of the Higher
2 Education Act of 1965, including a consolidation
3 loan under such title; and
4 “(2) the term ‘eligible public safety officer’
5 means a public safety officer, as defined in section
6 1204 of title I of the Omnibus Crime Control and
7 Safe Streets Act of 1968 (42 U.S.C. 3796b), who is
8 determined to have died or become permanently and
9 totally disabled as the direct and proximate result of
10 a personal injury sustained in the line of duty, sub-
11 ject to the limitations on such a determination made
12 under subpart 1.”.

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