

Public Law 110–153  
110th Congress

An Act

Dec. 21, 2007  
[S. 2371]

To amend the Higher Education Act of 1965 to make technical corrections.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. DEFINITION OF UNTAXED INCOME AND BENEFITS.**

(a) **AMENDMENT.**—Section 480(b) of the Higher Education Act of 1965 (20 U.S.C. 1087vv(b)) is amended by striking paragraph (2) and inserting the following:

“(2) The term ‘untaxed income and benefits’ shall not include—

“(A) the amount of additional child tax credit claimed for Federal income tax purposes;

“(B) welfare benefits, including assistance under a State program funded under part A of title IV of the Social Security Act and aid to dependent children;

“(C) the amount of earned income credit claimed for Federal income tax purposes;

“(D) the amount of credit for Federal tax on special fuels claimed for Federal income tax purposes;

“(E) the amount of foreign income excluded for purposes of Federal income taxes; or

“(F) untaxed social security benefits.”.

20 USC 1087vv  
note.

(b) **EFFECTIVE DATE.**—This section and the amendment made by this section shall take effect on July 1, 2009.

**SEC. 2. INCOME-BASED REPAYMENT FOR MARRIED BORROWERS FILING SEPARATELY.**

Section 493C of the Higher Education Act of 1965 (20 U.S.C. 1098e) is amended by adding at the end the following:

“(d) **SPECIAL RULE FOR MARRIED BORROWERS FILING SEPARATELY.**—In the case of a married borrower who files a separate Federal income tax return, the Secretary shall calculate the amount of the borrower’s income-based repayment under this section solely on the basis of the borrower’s student loan debt and adjusted gross income.”.

**SEC. 3. TEACH GRANTS TECHNICAL AMENDMENTS.**

Subpart 9 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070g et seq.) is amended—

*Ante*, p. 786.

(1) in section 420L(1)(B), by striking “sound” and inserting “responsible”; and

*Ante*, p. 787.

(2) in section 420M—

(A) by striking “academic year” each place it appears in subsections (a)(1) and (c)(1) and inserting “year”; and

(B) in subsection (c)(2)—

- (i) by striking “other student assistance” and inserting “other assistance the student may receive”;
- and
- (ii) by striking the second sentence.

Approved December 21, 2007.

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LEGISLATIVE HISTORY—S. 2371:

CONGRESSIONAL RECORD, Vol. 153 (2007):

Nov. 15, considered and passed Senate.

Dec. 5, considered and passed House, amended.

Dec. 6, Senate concurred in House amendment.

