

116TH CONGRESS
1ST SESSION

H. R. 4391

To amend the Higher Education Act of 1965 to modernize and improve the public service loan forgiveness program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2019

Mr. PANETTA (for himself, Ms. FUDGE, Mr. CUELLAR, Mr. CISNEROS, Mrs. MCBATH, and Mr. COX of California) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Higher Education Act of 1965 to modernize and improve the public service loan forgiveness program, 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 “Public Service Loan
5 Forgiveness Modernization Act” or the “PSLF Mod-
6 ernization Act”.

1 **SEC. 2. REPAYMENT PLAN FOR PUBLIC SERVICE EMPLOY-**
2 **EES.**

3 Section 455(m) of the Higher Education Act of 1965
4 (20 U.S.C. 1087e(m)) is amended—

5 (1) by redesignating paragraph (3) as para-
6 graph (4); and

7 (2) by inserting after paragraph (2), the fol-
8 lowing:

9 “(3) PROGRAM MODERNIZATION.—

10 “(A) DATABASE OF PUBLIC SERVICE EM-
11 PLOYERS.—

12 “(i) ESTABLISHMENT.—The Sec-
13 retary, in consultation with the Commis-
14 sioner of the Internal Revenue Service,
15 shall establish and regularly update a com-
16 prehensive database that identifies—

17 “(I) each qualified public service
18 employer; and

19 “(II) each position offered by
20 such employer that is a public service
21 job.

22 “(ii) ACCESSIBILITY.—The database
23 established under clause (i) shall be made
24 available in an easily searchable format on
25 a publicly accessible website of the Depart-

1 ment of Education and via a free and se-
2 cure mobile software application.

3 “(B) EMPLOYER SELF-CERTIFICATION.—

4 “(i) IN GENERAL.—The Secretary
5 shall establish a process through which an
6 employer may electronically submit to the
7 Secretary a certification that the employer
8 is a qualified public service employer.

9 “(ii) SECRETARIAL REVIEW AND
10 VERIFICATION.—The Secretary shall re-
11 view each self-certification submitted under
12 clause (i) to verify whether the employer
13 concerned is a qualified public service em-
14 ployer.

15 “(iii) PSLF CERTIFICATION SEAL.—
16 An employer verified by the Secretary
17 under clause (ii) shall receive permission to
18 use, for informational and marketing pur-
19 poses, a graphic seal-of-approval developed
20 by the Secretary to indicate the employer’s
21 status as a qualified public service em-
22 ployer.

23 “(C) CERTIFICATION OF EMPLOYMENT.—

24 “(i) FORMS AND SIGNATURES.—The
25 Secretary shall ensure that any forms re-

1 required to certify a borrower’s employment
2 in a public service job are available to bor-
3 rowers and employers—

4 “(I) on a publicly accessible
5 website of the Department of Edu-
6 cation;

7 “(II) via a free and secure mobile
8 software application; and

9 “(III) in traditional hard copy
10 format.

11 “(ii) ELECTRONIC SIGNATURE AND
12 SUBMISSION.—The Secretary shall estab-
13 lish a process that enables borrowers and
14 employers—

15 “(I) to electronically sign any
16 forms required to certify a borrower’s
17 employment in a public service job;
18 and

19 “(II) to submit such forms to the
20 Department of Education through an
21 online portal or via a free and secure
22 mobile software application.

23 “(iii) NOTICE OF RECERTIFI-
24 CATION.—In the case of a borrower who
25 has previously submitted an annual certifi-

1 cation of employment under this section,
2 the Secretary shall provide notice to the
3 borrower of the option to recertify such
4 employment not later than 60 days before
5 the expiration of the one year period fol-
6 lowing the date of the borrower's most re-
7 cently submitted employment certification.
8 The Secretary shall provide such notice to
9 a borrower via email and regular mail.

10 “(D) STATEMENT OF QUALIFYING PAY-
11 MENTS.—On an annual basis, the Secretary
12 shall provide to each borrower of an eligible
13 Federal Direct Loan who has submitted an an-
14 nual certification of employment under this sec-
15 tion the following information:

16 “(i) The number of monthly payments
17 made by the borrower on each eligible Fed-
18 eral Direct Loan of the borrower.

19 “(ii) The number of such payments
20 that qualify as monthly payments under
21 paragraph (1)(A).

22 “(iii) The number of monthly pay-
23 ments under paragraph (1)(A) remaining
24 on such loan before the borrower is eligible
25 for loan cancellation under paragraph (2).

1 “(E) DEFINITIONS.—In this paragraph:

2 “(i) The term ‘Secretary’ means the
3 Secretary of Education acting through the
4 Chief Operating Officer of the Office of
5 Federal Student Aid.

6 “(ii) The term ‘qualified public service
7 employer’ means an employer that offers
8 employment in a position that is a public
9 service job.”.

10 **SEC. 3. APPLICATION PROCESS FOR TEMPORARY EX-**
11 **PANDED PUBLIC SERVICE LOAN FORGIVE-**
12 **NESS.**

13 (a) IN GENERAL.—Notwithstanding any other provi-
14 sion of law, the Secretary of Education shall not require
15 a borrower to apply for and be denied loan cancellation
16 under section 455(m) of the Higher Education Act of
17 1965 (20 U.S.C. 1087e(m)) as a condition of eligibility
18 for loan forgiveness under the programs specified in sub-
19 section (b).

20 (b) PROGRAMS SPECIFIED.—The programs specified
21 in this subsection are the programs of student loan for-
22 giveness commonly known as “Temporary Expanded Pub-
23 lic Service Loan Forgiveness” established under the fol-
24 lowing provisions of law:

1 (1) Section 313 of the Department of Defense
2 and Labor, Health and Human Services, and Edu-
3 cation Appropriations Act, 2019 and Continuing Ap-
4 propriations Act, 2019 (Public Law 115–245).

5 (2) Section 315 of the Consolidated Appropria-
6 tions Act, 2018 (Public Law 115–141).

7 (c) ONLINE HELP TOOL.—Not later than 180 days
8 after the date of the enactment of this Act, the Secretary
9 of Education shall develop, and make available on a pub-
10 licly accessible website, an online tool designed to help bor-
11 rowers—

12 (1) learn more about the Temporary Expanded
13 Public Service Loan Forgiveness Program;

14 (2) determine their eligibility for forgiveness
15 under the program; and

16 (3) identify any requirements for participation
17 in the program, including any application require-
18 ments.

○