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2D SESSION

H. R. 6720

To provide student loan forgiveness to health care workers who are on the front line in response to COVID–19.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2020

Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. COHEN, Ms. OMAR, Mrs. HAYES, Mr. VEASEY, Mr. GARCÍA of Illinois, Mr. KILMER, Mr. VARGAS, and Ms. NORTON) introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committees on Financial Services, 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 provide student loan forgiveness to health care workers who are on the front line in response to COVID–19.

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 “Student Loan Forgive-
5 ness for Frontline Health Workers Act”.

1 **SEC. 2. FEDERAL STUDENT LOAN FORGIVENESS FOR**
2 **FRONTLINE HEALTH CARE WORKERS.**

3 (a) **FORGIVENESS REQUIRED.**—Notwithstanding any
4 other provision of law, the Secretary of Education shall
5 carry out a program in accordance with this Act to forgive
6 the outstanding balance of interest and principal due on
7 the applicable eligible Federal student loans of borrowers
8 who are frontline health care workers.

9 (b) **METHOD OF LOAN FORGIVENESS.**—In carrying
10 out the loan forgiveness program required under sub-
11 section (a), as soon as practicable after the Secretary of
12 Education has confirmed that an applicant is a frontline
13 health care worker who is a borrower of an eligible Federal
14 student loan, the Secretary of Education shall—

15 (1) through the holder of a loan, assume the
16 obligation to repay the outstanding balance of inter-
17 est and principal due on the applicable eligible Fed-
18 eral student loans of the borrower made, insured, or
19 guaranteed under part B of title IV of the Higher
20 Education Act of 1965 (20 U.S.C. 1071 et seq.);
21 and

22 (2) cancel the outstanding balance of interest
23 and principal due on the applicable eligible Federal
24 student loans of the borrower made under part D or
25 part E of such title.

1 (c) REPAYMENT REFUNDS PROHIBITED.—Nothing
2 in this section shall be construed to authorize any refund-
3 ing of any eligible Federal student loan repayment made
4 before the date a borrower’s loans are forgiven in accord-
5 ance with this section.

6 (d) EXCLUSION FROM TAXABLE INCOME.—The
7 amount of a borrower’s eligible Federal student loans for-
8 given under this section shall not be included in the gross
9 income of the borrower for purposes of the Internal Rev-
10 enue Code of 1986.

11 (e) NOTICE TO BORROWERS IN STATEMENTS.—With
12 each billing statement sent to a borrower during the two-
13 year period beginning on the 15th day after the date of
14 enactment of this Act, the Secretary of Education shall
15 include, and shall require each holder of eligible Federal
16 student loans to include, a notice informing the borrower
17 of the availability of the Federal student loan forgiveness
18 and private student loan repayment programs for frontline
19 health care workers under this Act, including where to
20 find information about how to qualify as a frontline health
21 care worker, how to apply to such programs, and the ap-
22 plication deadline for such programs.

1 **SEC. 3. PRIVATE STUDENT LOAN REPAYMENT FOR FRONT-**
2 **LINE HEALTH CARE WORKERS.**

3 (a) **REPAYMENT REQUIRED.**—Notwithstanding any
4 other provision of law, the Secretary of the Treasury shall
5 carry out a program in accordance with this Act under
6 which the Secretary shall repay in full the outstanding bal-
7 ance of principal and interest due on the applicable eligible
8 private student loans of borrowers who are frontline health
9 care workers.

10 (b) **METHOD OF LOAN REPAYMENT.**—In carrying
11 out the program required under subsection (a), as soon
12 as practicable after the Secretary of the Treasury has con-
13 firmed that an applicant is a frontline health care worker
14 who is a borrower of an eligible private student loan, the
15 Secretary of the Treasury shall pay to the private edu-
16 cational lender of each of the applicable eligible private
17 student loans of the borrower an amount equal to the sum
18 of the unpaid principal, accrued unpaid interest, and late
19 charges of such applicable eligible private student loans,
20 as calculated on the date of the repayment of such loans
21 by the Secretary of the Treasury, in order to discharge
22 the borrower from any remaining obligation to the private
23 educational lender with respect to such applicable eligible
24 private student loans.

25 (c) **REPAYMENT REFUNDS PROHIBITED.**—Nothing
26 in this section shall be construed to authorize any refund-

1 ing of any repayment of a loan made before the date a
2 borrower's loans are paid by the Secretary of the Treasury
3 in accordance with this section.

4 (d) EXCLUSION FROM TAXABLE INCOME.—The
5 amount of a borrower's eligible private student loans paid
6 by the Secretary of the Treasury under this section shall
7 not be included in the gross income of the borrower for
8 purposes of the Internal Revenue Code of 1986.

9 (e) NOTICE TO BORROWERS IN STATEMENTS.—Sec-
10 tion 128(e) of the Truth in Lending Act (15 U.S.C.
11 1638(e)) is amended by adding at the end the following
12 new paragraph:

13 “(12) NOTICE REQUIRED ALONG WITH BILLING
14 STATEMENTS.—With each billing statement sent to
15 the borrower during the two-year period beginning
16 on the 15th day after the date of enactment of the
17 Student Loan Forgiveness for Frontline Health
18 Workers Act, the private educational lender shall in-
19 clude a notice informing the borrower of the avail-
20 ability of the Federal student loan forgiveness and
21 private student loan repayment programs for front-
22 line health care workers under the Student Loan
23 Forgiveness for Frontline Health Workers Act, in-
24 cluding where to find information about how to qual-
25 ify as a frontline health care worker, how to apply

1 to such programs, and the application deadline for
2 such programs.”.

3 **SEC. 4. COORDINATED PROGRAM REQUIREMENTS.**

4 The Secretaries concerned shall jointly develop the
5 programs required under section 2 and section 3 of this
6 Act, and shall coordinate and consult with one another in
7 carrying out such programs to ensure that—

8 (1) determinations of eligibility are uniform and
9 consistent across both programs;

10 (2) frontline health care workers who are bor-
11 rowers of both eligible Federal student loans and eli-
12 gible private student loans may apply for both loan
13 forgiveness under section 2 and loan repayment
14 under section 3 with submission of only one applica-
15 tion;

16 (3) borrowers with outstanding eligible Federal
17 student loans and borrowers with outstanding eligi-
18 ble private student loans are notified of the avail-
19 ability of both programs required under this Act;
20 and

21 (4) such programs are made available to front-
22 line health care workers who were borrowers of eligi-
23 ble Federal student loans, eligible private student
24 loans, or both, and who died as a result of the
25 coronavirus, to relieve the families and estates of

1 such deceased frontline health care workers of the
2 burden of the student loans of the such workers.

3 **SEC. 5. NOTICE TO THE PUBLIC.**

4 Not later than 15 days after the date of enactment
5 of this Act, the Secretaries concerned, in consultation with
6 institutions of higher education and lenders and holders
7 of Federal student loans and private education loans, shall
8 take such actions as may be necessary to ensure that bor-
9 rowers who have outstanding eligible Federal student
10 loans, outstanding eligible private student loans, or both,
11 are aware of the loan forgiveness and loan repayment pro-
12 grams authorized by this Act. Such information shall—

13 (1) be presented in a form that is widely avail-
14 able to the public, especially to borrowers with eligi-
15 ble Federal student loans, eligible private student
16 loans, or both;

17 (2) be easily understandable; and

18 (3) clearly notify borrowers that to be consid-
19 ered for loan forgiveness or loan repayment (or
20 both) under this Act, borrowers must submit an ap-
21 plication to the Secretaries concerned, and must do
22 so during the application period described in section
23 6.

1 **SEC. 6. APPLICATION AND DETERMINATION OF ELIGI-**
2 **BILITY.**

3 (a) APPLICATION PERIOD.—An individual may apply
4 for loan forgiveness under section 2, loan repayment under
5 section 3, or both, by submitting an application to the Sec-
6 retaries concerned during the period that begins on the
7 date that is 60 days after the date of enactment of this
8 Act and that ends on the date that is 2 years after the
9 end of the qualifying period.

10 (b) DETERMINATION OF ELIGIBILITY.—

11 (1) DEVELOPMENT OF APPLICATION.—Not
12 later than 60 days after the date of enactment of
13 this Act, the Secretaries concerned shall jointly, in
14 consultation with the Secretary of Health and
15 Human Services and the Intergovernmental Working
16 Group (in accordance with section 7), develop one
17 application for borrowers of both eligible Federal
18 student loans and eligible private student loans to
19 apply for loan forgiveness or loan repayment, or
20 both, under this Act.

21 (2) APPLICATION REQUIREMENTS.—The appli-
22 cation required under paragraph (1) may only in-
23 clude such information as is necessary for the Secre-
24 taries concerned to make a determination of whether
25 the applicant—

1 (A) is a frontline health care worker, with-
2 out consideration of the period of time the ap-
3 plicant served as such a worker; and

4 (B) is a borrower of an applicable eligible
5 Federal student loan, an applicable eligible pri-
6 vate student loan, or both.

7 (3) DETERMINATION.—Not later than 30 days
8 after the date on which the Secretaries concerned re-
9 ceive an application from an individual in accordance
10 with this Act, the Secretaries concerned shall—

11 (A) confirm that such individual is a front-
12 line health care worker who is a borrower of an
13 applicable eligible Federal student loan, an ap-
14 plicable eligible private student loan, or both,
15 then notify the individual of such confirmation,
16 and grant the individual loan forgiveness or
17 loan repayment, or both, in accordance with
18 sections 2 and 3 of this Act; or

19 (B) determine that such individual is not a
20 frontline health care worker who is a borrower
21 of an applicable eligible Federal student loan,
22 an eligible private student loan, or both, then
23 deny such application, and provide a notifica-
24 tion to the individual that includes—

25 (i) that the application was denied;

1 (ii) the reason for such denial; and
2 (iii) if the application was denied be-
3 cause the Secretaries concerned determined
4 that the applicant was not a frontline
5 health care worker, an explanation that the
6 individual may appeal the denial to the
7 Intergovernmental Working Group within
8 30 days of the date of such denial, and in-
9 formation on how the applicant may sub-
10 mit such an appeal.

11 (4) TREATMENT AFTER SUCCESSFUL AP-
12 PEAL.—In the case that an individual appeals the
13 denial of an application to the Intergovernmental
14 Working Group in accordance with section 7, and
15 the individual is determined by the Intergovern-
16 mental Working Group to be a frontline health care
17 worker, the Secretaries concerned shall grant the in-
18 dividual loan forgiveness or loan repayment, or both,
19 in accordance with sections 2 and 3 of this Act not
20 later than 30 days after the Secretaries concerned
21 are notified of the outcome of the appeal by the
22 Intergovernmental Working Group.

23 **SEC. 7. INTERGOVERNMENTAL WORKING GROUP.**

24 (a) ESTABLISHMENT.—Not later than 30 days after
25 the date of the enactment of this Act, the Secretaries con-

1 cerned and the Secretary of Health and Human Services
2 shall jointly establish an Intergovernmental Working
3 Group to assist, in accordance with this section, with the
4 administration of the programs required under this Act.

5 (b) MEMBERSHIP.—The Intergovernmental Working
6 Group shall have 9 members, of whom—

7 (1) five members shall be selected by the Sec-
8 retary of Health and Human Services from employ-
9 ees of the Department of Health and Human Serv-
10 ices who are knowledgeable concerning the edu-
11 cation, training, employment, and medical practices
12 of health care professionals and the health care
13 workforce;

14 (2) two members shall be selected by the Sec-
15 retary of Education from employees of the Depart-
16 ment of Education who are knowledgeable con-
17 cerning eligible Federal student loans and the ad-
18 ministration of such loans; and

19 (3) two members shall be selected by the Sec-
20 retary of the Treasury from employees of the De-
21 partment of the Treasury who are knowledgeable
22 concerning eligible private student loans, the admin-
23 istration of such loans, and private educational lend-
24 ers.

1 (c) DUTIES.—The Intergovernmental Working Group
2 established under this section shall—

3 (1) develop a procedure or list of requirements
4 to determine whether an individual has made signifi-
5 cant contributions to the medical response to the
6 qualifying emergency for purposes of determining
7 whether the individual is a frontline health care
8 worker as defined in section 9(1)(C);

9 (2) determine what information an individual
10 needs to provide for the Secretaries concerned to de-
11 termine whether the individual has made significant
12 contributions to the medical response to the quali-
13 fying emergency for purposes of determining wheth-
14 er the individual is a frontline health care worker as
15 defined in section 9(1)(B);

16 (3) not later than 15 days after the date on
17 which the Council is established, report the informa-
18 tion described in paragraphs (1) and (2) to the Sec-
19 retaries concerned for inclusion in the application
20 developed in accordance with section 6(b)(1);

21 (4) not later than 60 days after the date on
22 which the Council is established, develop a process
23 by which—

24 (A) an applicant who is denied loan for-
25 giveness or loan repayment (or both) under this

1 Act by the Secretaries concerned because of a
2 determination that the applicant is not a front-
3 line health care worker may, within 30 days of
4 the date of such denial, submit an appeal of
5 such denial to the Intergovernmental Working
6 Group; and

7 (B) the Intergovernmental Working Group
8 will review the appeal and make a determina-
9 tion with respect to whether the applicant is a
10 frontline health care worker; and

11 (5) upon the request for an appeal by an appli-
12 cant described in paragraph (4), using the appeals
13 process developed under such paragraph, determine
14 within 30 days after submission of the appeal by the
15 applicant, whether the applicant is a frontline health
16 care worker, and notify the Secretaries concerned
17 and the applicant of the outcome of such appeal
18 within 15 days of such determination.

19 **SEC. 8. TERMINATION OF AUTHORITY.**

20 The authority of the Secretaries concerned to carry
21 out the loan forgiveness program under section 2 and loan
22 repayment program under section 3, and the authority of
23 the Intergovernmental Working Group to carry out the ac-
24 tivities authorized under section 7, shall cease on the date

1 that is 180 days after the end date of the application pe-
2 riod described in section 6(a).

3 **SEC. 9. DEFINITIONS.**

4 In this Act:

5 (1) **FRONTLINE HEALTH CARE WORKER.**—The
6 term “frontline health care worker” means an indi-
7 vidual who, in exchange for payment or as a volun-
8 teer, for any period during a qualifying emergency—

9 (A) is a—

10 (i) doctor, medical resident, medical
11 intern, medical fellow, nurse, home health
12 care worker, mental health professional, or
13 other health care professional who is li-
14 censed, registered, or certified under Fed-
15 eral or State law to provide health care
16 services and who provides COVID-related
17 health care services;

18 (ii) a student enrolled at an institu-
19 tion of higher education in a medical, nurs-
20 ing, or other relevant health care program
21 of study who provides COVID-related
22 health care services;

23 (iii) a laboratory worker who con-
24 ducts, evaluates, or analyzes coronavirus
25 testing;

1 (iv) a medical researcher who con-
2 ducts research related to the prevention,
3 treatment, or cure of the coronavirus; or

4 (v) an emergency medical services
5 worker who responds to health emergencies
6 or transports patients to hospitals or other
7 medical facilities; or

8 (B) does not meet the requirements of any
9 of the clauses under subparagraph (A), but is
10 a health care professional who is licensed, reg-
11 istered, or certified under Federal or State law
12 to provide health care and has made significant
13 contributions to the medical response to the
14 qualifying emergency.

15 (2) APPLICABLE LOANS.—For the purposes of
16 this Act, the term “applicable”, when used with re-
17 spect to an eligible Federal student loan or an eligi-
18 ble private student loan, means—

19 (A) in the case of a frontline health care
20 worker who has obtained a graduate education
21 degree or certificate—

22 (i) any eligible Federal student loan
23 for the graduate education of such worker
24 (including a consolidation loan, to the ex-
25 tent that such consolidation loan was used

1 to repay loans for graduate education);
2 and

3 (ii) any eligible private student loan
4 for the graduate education of such worker;
5 or

6 (B) in the case of a frontline health care
7 worker who has not obtained a graduate edu-
8 cation degree or certificate—

9 (i) any eligible Federal student loan
10 for the undergraduate education of such
11 worker (including a consolidation loan, to
12 the extent that such consolidation loan was
13 used to repay loans for undergraduate edu-
14 cation), provided that such loan was used
15 for undergraduate education in a relevant
16 health care program of study that is nec-
17 essary for an individual to enter or ad-
18 vance within the specific health care-re-
19 lated occupation of the worker; and

20 (ii) any eligible private student loan
21 for the undergraduate education of such
22 worker, provided that such loan was used
23 for undergraduate education in a relevant
24 health care program of study that is nec-
25 essary for an individual to enter or ad-

1 vance within the specific health care-re-
2 lated occupation of the worker.

3 (3) CORONAVIRUS.—The term “coronavirus”
4 has the meaning given the term in section 506 of the
5 Coronavirus Preparedness and Response Supple-
6 mental Appropriations Act, 2020 (Public Law 116–
7 123).

8 (4) COVID-RELATED HEALTH CARE SERV-
9 ICES.—The term “COVID-related health care serv-
10 ices” means any health care services that relate to—

11 (A) the diagnosis, prevention, or treatment
12 of the coronavirus, including through telehealth
13 services;

14 (B) the assessment or care of the health of
15 a human being related to an actual or sus-
16 pected case of the coronavirus, including
17 through telehealth services; or

18 (C) patient care in a setting where there is
19 a reasonable expectation of risk of exposure to
20 the coronavirus.

21 (5) ELIGIBLE FEDERAL STUDENT LOAN.—The
22 term “eligible Federal student loan” means any loan
23 made, insured, or guaranteed under part B, part D,
24 or part E of title IV of the Higher Education Act

1 of 1965 before the date of enactment of this Act, in-
2 cluding a consolidation loan under such title.

3 (6) ELIGIBLE PRIVATE STUDENT LOAN.—The
4 term “eligible private student loan” means a private
5 education loan, as defined in section 140(a) of the
6 Truth in Lending Act (15 U.S.C. 1650(a)), that was
7 expressly for the cost of attendance (as defined in
8 section 472) at an institution of higher education
9 participating in a loan program under part B, part
10 D, or part E of title IV of the Higher Education Act
11 of 1965 (20 U.S.C. 1070 et seq.), as of the date
12 that the loan was disbursed, and that was made be-
13 fore the date of enactment of this Act.

14 (7) GRADUATE EDUCATION.—The term “grad-
15 uate education” means a postbaccalaureate program
16 of study at an institution of higher education that—

17 (A) leads to a master’s degree;

18 (B) leads to a doctoral degree; or

19 (C) does not lead to a graduate degree, but
20 awards or is necessary to obtain a professional
21 certification or licensing credential that is re-
22 quired for employment.

23 (8) INSTITUTION OF HIGHER EDUCATION.—The
24 term “institution of higher education” has the

1 meaning given such term in section 102 of the High-
2 er Education Act of 1965 (20 U.S.C. 1002).

3 (9) PRIVATE EDUCATIONAL LENDER.—The
4 term “private educational lender” has the meaning
5 given the term in section 140(a) of the Truth in
6 Lending Act (15 U.S.C. 1650(a)).

7 (10) QUALIFYING EMERGENCY.—The term
8 “qualifying emergency” means—

9 (A) a public health emergency related to
10 the coronavirus declared by the Secretary of
11 Health and Human Services pursuant to sec-
12 tion 319 of the Public Health Service Act (42
13 U.S.C. 247d);

14 (B) an event related to the coronavirus for
15 which—

16 (i) the President declared a major dis-
17 aster or an emergency under section 401
18 or 501, respectively, of the Robert T. Staf-
19 ford Disaster Relief and Emergency Assist-
20 ance Act (42 U.S.C. 5170 and 5191); or

21 (ii) the governor of a State or terri-
22 tory of the United States declared an
23 emergency; or

24 (C) a national emergency related to the
25 coronavirus declared by the President under

1 section 201 of the National Emergencies Act
2 (50 U.S.C. 1601 et seq.).

3 (11) SECRETARIES CONCERNED.—The term
4 “Secretaries concerned” means—

5 (A) the Secretary of Education, with re-
6 spect to eligible Federal student loans and bor-
7 rowers of such loans; and

8 (B) the Secretary of the Treasury, with re-
9 spect to eligible private student loans and bor-
10 rowers of such loans.

11 (12) UNDERGRADUATE EDUCATION.—The term
12 “undergraduate education” means a postsecondary
13 program of study at an institution of higher edu-
14 cation that—

15 (A) leads to an associate’s degree;

16 (B) leads to a baccalaureate degree; or

17 (C) does not lead to an associate’s or bac-
18 calaureate degree, but awards or is necessary to
19 obtain a certification or licensing credential that
20 is required for employment.

○