

117TH CONGRESS
2D SESSION

H. R. 8872

To amend the Higher Education Act of 1965 to double the Pell Grant award amount, improve the Public Service Loan Forgiveness program, and reduce interest rates, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2022

Ms. WILSON of Florida (for herself, Mr. SCOTT of Virginia, Ms. ADAMS, Mr. SABLAN, Ms. BONAMICI, Ms. MANNING, Ms. NORTON, Mrs. HAYES, Mr. TAKANO, Mr. DANNY K. DAVIS of Illinois, Mrs. MCBATH, Mr. THOMPSON of Mississippi, Mr. SOTO, Mr. DESAULNIER, Mr. GRIJALVA, Ms. BARRAGÁN, Mr. CORREA, Mr. EVANS, Mrs. CHERFILUS-McCORMICK, Mr. CARBAJAL, Mr. TORRES of New York, Ms. CLARKE of New York, Mrs. LAWRENCE, Mr. SARBANES, Ms. LEE of California, Ms. BROWN of Ohio, Mr. LAWSON of Florida, Mr. CARTER of Louisiana, Mr. BOWMAN, Mr. CARSON, Mr. ESPAILLAT, and Mr. CASTRO of Texas) introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committee on the Budget, 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 Higher Education Act of 1965 to double the Pell Grant award amount, improve the Public Service Loan Forgiveness program, and reduce interest rates, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
 3 “Lowering Obstacles to Achievement Now Act” or the
 4 “LOAN Act”.

5 (b) TABLE OF CONTENTS.—The table of contents of
 6 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—FEDERAL PELL GRANTS

- Sec. 101. Doubling Federal Pell Grants and providing all Federal Pell Grants through mandatory funding.
 Sec. 102. Providing increased Federal Pell Grants and other assistance for recipients of means-tested benefits.
 Sec. 103. Federal aid eligibility for dreamer students.
 Sec. 104. Restoring the total semesters of Federal Pell Grant eligibility.
 Sec. 105. Reducing financial aid penalties from satisfactory academic progress determinations.
 Sec. 106. Federal Pell Grants for graduate students.

TITLE II—AMENDMENTS TO TERMS AND CONDITIONS OF LOANS AND REPAYMENT PLANS

PART A—DIRECT LOANS

- Sec. 201. Subsidized loans for graduate and professional students.
 Sec. 202. Interest rate on subsidized loans for graduate and professional students.
 Sec. 203. Repeal of origination fees.
 Sec. 204. Prepayment amounts.

PART B—AUTOMATIC ENROLLMENT IN INCOME-DRIVEN REPAYMENT FOR CERTAIN BORROWERS

- Sec. 211. Notification and automatic enrollment procedures for borrowers who are delinquent on loans.
 Sec. 212. Notification and automatic enrollment procedures for borrowers who are rehabilitating defaulted loans.
 Sec. 213. Covered loan, income-driven repayment plan, and non-covered loan defined.
 Sec. 214. Automatic recertification of income for income-driven repayment plans.
 Sec. 215. Procedure and requirement for requesting tax return information from the IRS.

PART C—AMENDMENTS TO CERTAIN LOAN FORGIVENESS PROGRAMS

- Sec. 221. Amendments to terms and conditions of Public Service Loan Forgiveness.
 Sec. 222. Loan forgiveness for teachers.

TITLE III—INTEREST CAPITALIZATION

Sec. 301. Elimination of interest capitalization.

Sec. 302. Elimination of disclosure requirements relating to capitalization.

TITLE IV—INTEREST RATES

Sec. 401. Interest rate provisions for new Federal student loans on or after July 1, 2023.

Sec. 402. Refinancing FFEL and Federal Direct Loans.

Sec. 403. Refinancing private student loans.

1 **TITLE I—FEDERAL PELL**
 2 **GRANTS**

3 **SEC. 101. DOUBLING FEDERAL PELL GRANTS AND PRO-**
 4 **VIDING ALL FEDERAL PELL GRANTS**
 5 **THROUGH MANDATORY FUNDING.**

6 (a) AMOUNT OF MINIMUM FEDERAL PELL
 7 GRANTS.—Section 401 of the Higher Education Act of
 8 1965 (20 U.S.C. 1070a), as amended by title VII of divi-
 9 sion FF of the FAFSA Simplification Act (Public Law
 10 116–260), is amended—

11 (1) in subsection (a)(2)(F), by striking “10 per-
 12 cent” and inserting “5 percent”;

13 (2) in subsection (b)—

14 (A) in paragraph (1)(B)(i), by striking
 15 “paragraph (5)(A)” and inserting “paragraph
 16 (5)”;

17 (B) by striking paragraph (5) and insert-
 18 ing the following:

19 “(5) MAXIMUM FEDERAL PELL GRANT.—

1 “(A) AWARD YEAR 2024–2025.—For award
2 year 2024–2025, the total maximum Federal
3 Pell Grant award shall be \$9,000.

4 “(B) AWARD YEAR 2025–2026.—For award
5 year 2025–2026, the total maximum Federal
6 Pell Grant award shall be \$10,000.

7 “(C) AWARD YEAR 2026–2027.—For award
8 year 2026–2027, the total maximum Federal
9 Pell Grant award shall be \$11,000.

10 “(D) AWARD YEAR 2027–2028.—For award
11 year 2027–2028, the total maximum Federal
12 Pell Grant award shall be \$12,000.

13 “(E) AWARD YEAR 2028–2029.—For award
14 year 2028–2029, the total maximum Federal
15 Pell Grant award shall be \$13,000.

16 “(F) AWARD YEAR 2029–2030 AND SUBSE-
17 QUENT YEARS.—For award year 2029–2030,
18 and each subsequent award year, the total max-
19 imum Federal Pell Grant award shall be
20 \$13,000—

21 “(i) increased by the adjustment per-
22 centage for the award year for which the
23 amount under this subparagraph is being
24 determined; and

25 “(ii) rounded to the nearest \$50.

1 “(G) DEFINITION OF ADJUSTMENT PER-
2 CENTAGE.—In this paragraph, the term ‘adjust-
3 ment percentage,’ as applied to an award year,
4 is equal to the percentage increase in the Con-
5 sumer Price Index, as defined in section 478(f),
6 for the most recent calendar year ending prior
7 to the beginning of the award year.”;

8 (C) by striking paragraphs (6) and (7) and
9 inserting the following:

10 “(6) APPROPRIATION OF FUNDS.—There are
11 authorized to be appropriated, and there are appro-
12 priated, out of any money in the Treasury not other-
13 wise appropriated, such sums as may be necessary
14 for fiscal year 2024 and each subsequent fiscal year
15 to provide the total maximum Federal Pell Grant for
16 which a student shall be eligible under this section
17 during an award year.”; and

18 (D) by redesignating paragraphs (8) and
19 (9) as paragraphs (7) and (8), respectively;
20 (3) in subsection (d)(5)(B)(ii)—

21 (A) in subclause (I)(bb), by striking “or”
22 after the semicolon;

23 (B) in subclause (II)(bb)(CC), by striking
24 the period and inserting “; or”; and

25 (C) by adding at the end the following:

1 “(III) during a period for which
2 the student did not receive a loan
3 under this title but for which, if the
4 student had received such a loan, such
5 loan would have been discharged
6 under the circumstances described in
7 subclause (II)(bb)(CC).”;

8 (4) by striking subsections (g) and (h); and

9 (5) by redesignating subsections (i) and (j) as
10 subsections (g) and (h), respectively.

11 (b) REPEAL OF SCORING REQUIREMENT.—

12 (1) IN GENERAL.—Section 406 of H. Con. Res.
13 95 (109th Congress) is amended—

14 (A) by striking subsection (b); and

15 (B) by striking “(a) IN GENERAL.—Upon”
16 and inserting the following: “Upon”.

17 (2) EFFECTIVE DATE.—The amendments made
18 by paragraph (1) shall take effect beginning on July
19 1, 2024.

20 (c) STUDENT SUPPORT SERVICES.—Section
21 402D(d)(1) of the Higher Education Act of 1965 (20
22 U.S.C. 1070a–14(d)(1)) is amended by striking “the min-
23 imum” and inserting “10 percent of the maximum”.

24 (d) SCHOLARSHIP COMPONENT.—Section 404E(d) of
25 the Higher Education Act of 1965 (20 U.S.C. 1070a–

1 25(d)) is amended by striking “less than the minimum”
2 and inserting “less than 10 percent of the maximum”.

3 **SEC. 102. PROVIDING INCREASED FEDERAL PELL GRANTS**
4 **AND OTHER ASSISTANCE FOR RECIPIENTS**
5 **OF MEANS-TESTED BENEFITS.**

6 (a) INCREASED AMOUNT OF MAXIMUM FEDERAL
7 PELL GRANTS FOR STUDENTS WITH NEGATIVE STU-
8 DENT AID INDEXES.—Section 401(b)(1) of the Higher
9 Education Act of 1965 (20 U.S.C. 1070a(b)(1)), as
10 amended by section 2 and section 703 of the FAFSA Sim-
11 plification Act (Public Law 116–260), is amended—

12 (1) in subparagraph (A)—

13 (A) in the matter preceding clause (i), by
14 striking “A student” and inserting “Except in
15 the case of a student with a student aid index
16 of less than zero, a student”;

17 (B) by striking clause (i); and

18 (C) by redesignating clauses (ii) and (iii)
19 as clauses (i) and (ii), respectively;

20 (2) by redesignating subparagraphs (B)
21 through (E) as subparagraphs (C) through (F), re-
22 spectively;

23 (3) by inserting after subparagraph (A) the fol-
24 lowing:

1 “(B) A student with a student aid index of
2 less than zero shall be eligible for a Federal
3 Pell Grant award that exceeds the total max-
4 imum Federal Pell Grant by an amount equal
5 to the amount by which the student’s student
6 aid index is less than zero.”;

7 (4) in subparagraph (C), as redesignated by
8 paragraph (2)—

9 (A) in the matter preceding clause (i), by
10 striking “subparagraph (A) for an academic
11 year,” and inserting “subparagraph (A), or an
12 increased Federal Pell Grant under subpara-
13 graph (B), for an academic year,”; and

14 (B) in clause (ii), by striking “, except that
15 a student aid index of less than zero shall be
16 considered to be zero for the purposes of this
17 clause”;

18 (5) in subparagraph (D), as redesignated by
19 paragraph (2), by striking “(A) or (B)” and insert-
20 ing “(A), (B), or (C)”;

21 (6) in subparagraph (E), as redesignated by
22 paragraph (2), by inserting “or an increased Federal
23 Pell Grant under subparagraph (B)” after “subpara-
24 graph (A)”;

1 FAFSA Simplification Act (Public Law 116–260), is
2 amended—

3 (1) in subsection (a)(5), by inserting “, or be a
4 Dreamer student, as defined in subsection (u)” after
5 “becoming a citizen or permanent resident”; and

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

7 “(u) DREAMER STUDENTS.—

8 “(1) IN GENERAL.—In this section, the term
9 ‘Dreamer student’ means an individual who—

10 “(A)(i) is not a citizen or national of the
11 United States; and

12 “(ii) is inadmissible or deportable under
13 the Immigration and Nationality Act (8 U.S.C.
14 1101 et seq.); and

15 “(B)(i) in the case of such an individual
16 who was younger than 18 years of age on the
17 date on which the individual initially entered
18 the United States—

19 “(I) has earned a high school diploma,
20 the recognized equivalent of such diploma
21 from a secondary school, or a high school
22 equivalency diploma recognized by State
23 law, or is scheduled to complete the re-
24 quirements for such a diploma or equiva-
25 lent before the next academic year begins;

1 “(II) is enrolled at an institution of
2 higher education pursuant to subsection
3 (d);

4 “(III) has served in the uniformed
5 services (as such term is defined in section
6 101 of title 10, United States Code) for
7 not less than 2 years and, if discharged,
8 received an honorable discharge;

9 “(IV) has acquired a degree, certifi-
10 cate, or recognized postsecondary creden-
11 tial from an institution of higher education
12 or area career and technical education
13 school (as such term is defined in section
14 3 of the Carl D. Perkins Career and Tech-
15 nical Education Act of 2006 (20 U.S.C.
16 2302)); or

17 “(V) has completed not less than 2
18 years in a postsecondary program at an in-
19 stitution of higher education, or area ca-
20 reer and technical education school, in the
21 United States and has made satisfactory
22 academic progress, as defined in subsection
23 (c), during such time period; or

24 “(ii)(I) is, or at any time was, eligible for
25 a grant of deferred action pursuant to—

1 “(aa) the memorandum of the De-
2 partment of Homeland Security entitled
3 ‘Exercising Prosecutorial Discretion with
4 Respect to Individuals Who Came to the
5 United States as Children’ issued on June
6 15, 2012; or

7 “(bb) the memorandum of the De-
8 partment of Homeland Security entitled
9 ‘Exercising Prosecutorial Discretion with
10 Respect to Individuals Who Came to the
11 United States as Children and with Re-
12 spect to Certain Individuals Who Are the
13 Parents of U.S. Citizens or Permanent
14 Residents’ issued on November 20, 2014;
15 or

16 “(II) would have been eligible for such a
17 grant of deferred action if the applicable memo-
18 randum described in subclause (I) had been
19 fully in effect since the date on which it was
20 issued.

21 “(2) **HARDSHIP EXCEPTION.**—The Secretary
22 shall issue regulations that direct when the Depart-
23 ment shall waive the age requirement of paragraph
24 (1)(B)(i) for an individual to qualify as a Dreamer
25 student under such paragraph, if the individual dem-

1 onstrates compelling circumstances, such as eco-
2 nomic hardship (as defined in section 435(o)).”.

3 **SEC. 104. RESTORING THE TOTAL SEMESTERS OF FEDERAL**
4 **PELL GRANT ELIGIBILITY.**

5 Section 401(d)(5)(A) of the Higher Education Act of
6 1965, as added by section 703 of the FAFSA Simplifica-
7 tion Act (Public Law 116–260), is amended by striking
8 “12” each place the term appears and inserting “18”.

9 **SEC. 105. REDUCING FINANCIAL AID PENALTIES FROM SAT-**
10 **ISFACTORY ACADEMIC PROGRESS DETER-**
11 **MINATIONS.**

12 Section 484(c) of the Higher Education Act of 1965
13 (20 U.S.C. 1091(c)) is amended to read as follows:

14 “(c) SATISFACTORY PROGRESS.—

15 “(1) DEFINITIONS.—In this subsection:

16 “(A) APPEAL.—The term ‘appeal’ means a
17 process by which a student who is not meeting
18 the institution’s satisfactory academic progress
19 standards petitions the institution for reconsid-
20 eration of the student’s eligibility for assistance
21 under this title.

22 “(B) FINANCIAL AID PROBATION.—The
23 term ‘financial aid probation’ means a status
24 assigned by an institution to a student who fails
25 to make satisfactory academic progress and

1 who has appealed and has had eligibility for aid
2 reinstated.

3 “(C) FINANCIAL AID WARNING.—The term
4 ‘financial aid warning’ means a status assigned
5 to a student who fails to make satisfactory aca-
6 demic progress at the end of the semester or
7 equivalent period in which the student first fails
8 to make such progress.

9 “(D) PAYMENT PERIOD.—The term ‘pay-
10 ment period’ means the applicable payment pe-
11 riod described in section 668.4 of title 34, Code
12 of Federal Regulations, or any successor regula-
13 tion.

14 “(2) SATISFACTORY ACADEMIC PROGRESS POL-
15 ICY.—An institution shall establish a reasonable sat-
16 isfactory academic progress policy for determining
17 whether an otherwise eligible student is making sat-
18 isfactory academic progress in the student’s edu-
19 cational program and may receive assistance under
20 this title. The Secretary shall consider the institu-
21 tion’s policy to be reasonable if—

22 “(A) the policy is at least as strict as the
23 policy the institution applies to a student who
24 is not receiving assistance under this title;

1 “(B) the policy provides for consistent ap-
2 plication of standards to all students, including
3 full-time, part-time, undergraduate, and grad-
4 uate students, and all educational programs es-
5 tablished by the institution;

6 “(C)(i) the policy specifies the grade point
7 average that a student must achieve at each
8 evaluation, or if a grade point average is not an
9 appropriate qualitative measure, a comparable
10 assessment measured against a norm; and

11 “(ii) if a student is enrolled in an edu-
12 cational program of more than 2 academic
13 years, the policy specifies that at the end of the
14 second academic year, the student must have a
15 grade point average of at least a ‘C’ or its
16 equivalent, or have academic standing con-
17 sistent with the institution’s requirements for
18 graduation;

19 “(D) the policy provides for measurement
20 of the student’s progress at each evaluation;

21 “(E) the policy describes—

22 “(i) how a student’s grade point aver-
23 age and the pace at which the student pro-
24 gresses toward completion are affected by
25 course incompletes, withdrawals, or repeti-

1 tions, or transfers of credit from other in-
2 stitutions, including that credit hours from
3 another institution that are accepted to-
4 ward the student’s educational program
5 are counted as both attempted and com-
6 pleted hours; and

7 “(ii) how after a student reenrolls
8 after the student’s satisfactory academic
9 progress was reset pursuant to paragraph
10 (3)(B), the student may have any credits
11 that were earned before the student was
12 determined not to be making satisfactory
13 academic progress counted for purposes of
14 determining progress when the student re-
15 enrolls, but any attempted hours that were
16 not earned by the student (including in-
17 completes, withdrawn courses, and failed
18 courses) before the student was determined
19 not to be making satisfactory academic
20 progress will not negatively impact the de-
21 termination of whether the student made
22 satisfactory academic progress after such
23 reset;

24 “(F) the policy provides that, except as
25 provided in subparagraph (G) with respect to a

1 student placed on financial aid warning or fi-
2 nancial aid probation and paragraph (3), a stu-
3 dent is no longer eligible to receive assistance
4 under this title if the student has not achieved
5 the required grade point average or who is not
6 making progress toward completion in the stu-
7 dent’s educational program—

8 “(i) at the time of each evaluation
9 with respect to a student who is in an edu-
10 cational program of 2 academic years or
11 less in length; or

12 “(ii) at the end of the second aca-
13 demic year with respect to a student who
14 is in an educational program of more than
15 2 academic years in length;

16 “(G) the policy describes when students
17 will be placed on financial aid warning or finan-
18 cial aid probation, in accordance with para-
19 graph (4), and provides that—

20 “(i) a student on financial aid warn-
21 ing—

22 “(I) shall receive assistance
23 under this title for one payment pe-
24 riod despite a determination that the

1 student is not making satisfactory
2 academic progress; and

3 “(II) may be assigned such sta-
4 tus without an appeal or other action
5 by the student; and

6 “(ii)(I) a student on financial aid pro-
7 bation may receive assistance under this
8 title for one payment period and the insti-
9 tution may require the student to fulfill
10 specific terms and conditions, such as tak-
11 ing a reduced course load or enrolling in
12 specific courses; and

13 “(II) at the end of such one payment
14 period, the student is required to meet the
15 institution’s satisfactory academic progress
16 standards, or meet the requirements of the
17 academic plan developed by the institution
18 and the student, in order to qualify for
19 continued assistance under this title;

20 “(H) if the institution permits a student to
21 appeal a determination by the institution that
22 the student is not making satisfactory academic
23 progress, the policy describes—

1 “(i) how the student may reestablish
2 the student’s eligibility to receive assist-
3 ance under this title;

4 “(ii) the basis on which the student
5 may file an appeal, including because of
6 the death of a relative, an injury or illness
7 of the student, or another special cir-
8 cumstance; and

9 “(iii) information the student is re-
10 quired to submit regarding why the stu-
11 dent failed to make satisfactory academic
12 progress, and what has changed in the stu-
13 dent’s situation that will allow the student
14 to demonstrate satisfactory academic
15 progress at the next evaluation;

16 “(I) if the institution does not permit a
17 student to appeal a determination by the insti-
18 tution that the student is not making satisfac-
19 tory academic progress, the policy describes
20 how the student may reestablish the student’s
21 eligibility to receive assistance under this title;

22 “(J) the policy provides for notification to
23 students of the results of an evaluation that im-
24 pacts the student’s eligibility for assistance
25 under this title; and

1 “(K) the policy does not impose satisfac-
2 tory progress limitations on need-based institu-
3 tional aid that are more stringent than the
4 standard applied under this subsection without
5 demonstrating to the Secretary the effectiveness
6 of such limitations on improving student per-
7 sistence in, and completion of, postsecondary
8 study.

9 “(3) REGAINING ELIGIBILITY.—

10 “(A) STUDENTS WHO REMAIN IN
11 SCHOOL.—Whenever a student fails to meet the
12 eligibility requirements of subsection (a)(2) as a
13 result of the application of this subsection and,
14 subsequent to that failure, the student has aca-
15 demic standing for any grading period con-
16 sistent with the requirements for staying on
17 track to graduate within 150 percent of the
18 published length of the educational program, as
19 determined by the institution, the student shall
20 again be eligible under subsection (a)(2) for a
21 grant, loan, or work assistance under this title,
22 as long as the student maintains satisfactory
23 academic progress under paragraph (2) begin-
24 ning on and after the date that the student re-
25 gains eligibility.

1 “(B) STUDENTS WHO LEAVE SCHOOL.—

2 “(i) IN GENERAL.—If a student has
3 not been enrolled in any institution of
4 higher education for the immediately pre-
5 ceding 2 years, any previous failure to
6 meet the eligibility requirements of sub-
7 section (a)(2) shall not be used in any de-
8 termination of eligibility of such student
9 under such subsection. Such student shall,
10 on the date of enrollment subsequent to
11 such 2-year period, have the student’s eli-
12 gibility for a grant, loan, or work assist-
13 ance under this title reset and be deemed
14 as meeting the requirements described in
15 paragraph (2). Beginning on and after
16 such date, the student’s satisfactory aca-
17 demic progress shall be determined in ac-
18 cordance with paragraph (2)(E)(ii).

19 “(ii) MAXIMUM NUMBER OF
20 RESETS.—A student shall be eligible for a
21 reset of eligibility pursuant to this sub-
22 paragraph not more than 2 times.

23 “(C) DUTIES OF THE SECRETARY.—The
24 Secretary shall—

1 “(i) send, to each student who failed
2 to meet the eligibility requirements of sub-
3 section (a)(2) and who has not regained
4 eligibility for a grant, loan, or work assist-
5 ance under subparagraph (A), a notice,
6 two years after such failure, that in-
7 cludes—

8 “(I) a notification that, if the
9 student has not been enrolled in any
10 institution of higher education for the
11 preceding two years and has not re-
12 ceived two resets of eligibility under
13 subparagraph (B), the student may
14 use grant, loan, or work assistance
15 under this title for enrollment at any
16 eligible institution, including an insti-
17 tution other than the institution in
18 which the student was previously en-
19 rolled;

20 “(II) a notification that, if the
21 student has remained enrolled, or re-
22 sumed enrollment, at an institution of
23 higher education, the student may be
24 eligible for a grant, loan, or work as-

1 assistance under this title subject to the
2 requirements of subparagraph (A);

3 “(III) information on how many
4 semesters of eligibility for a grant,
5 loan, or work assistance under this
6 title to which the student still has ac-
7 cess; and

8 “(IV) a notification that the stu-
9 dent should ask any prospective eligi-
10 ble institution how many of the stu-
11 dent’s previously completed credits the
12 student would be able to transfer; and

13 “(ii) submit an annual report to Con-
14 gress on the outcomes of students who
15 have received a reset of eligibility pursuant
16 to this paragraph, including—

17 “(I) the number of students who
18 reenroll in an eligible institution after
19 such reset, disaggregated by race or
20 ethnicity, sex, age, socioeconomic sta-
21 tus, and disability status;

22 “(II) the 250 eligible institutions
23 with the highest numbers of enrolled
24 students receiving grant, loan, or

1 work assistance under this title after
2 such a reset;

3 “(III) the 250 eligible institu-
4 tions with the highest share of en-
5 rolled students receiving grant, loan,
6 or work assistance under this title
7 after such a reset; and

8 “(IV) the average completion
9 rate and time to completion for stu-
10 dents who reenroll in an eligible insti-
11 tution after such reset, disaggregated
12 by institution.

13 “(4) EVALUATION OF ACADEMIC PROGRESS.—

14 “(A) IN GENERAL.—An institution that
15 determines that a student is not making satis-
16 factory academic progress under its policy may
17 disburse funds provided through student finan-
18 cial assistance programs under this title (in-
19 cluding work-study programs under subtitle C)
20 to the student in accordance with subpara-
21 graphs (B), (C), and (D).

22 “(B) PAYMENT PERIOD FOLLOWING NOT
23 MAKING SATISFACTORY ACADEMIC PROGRESS.—

24 For the payment period following the payment
25 period in which a student did not make satis-

1 factory academic progress, the institution shall
2 place the student on financial aid warning and
3 disburse funds under this title to the student.

4 “(C) PAYMENT PERIOD FOLLOWING FI-
5 NANCIAL AID WARNING.—For the payment pe-
6 riod following a payment period during which a
7 student was on financial aid warning, the insti-
8 tution may place the student on financial aid
9 probation, and disburse funds under this title to
10 the student if—

11 “(i) the institution evaluates the stu-
12 dent’s progress and determines that stu-
13 dent did not make satisfactory academic
14 progress during the payment period the
15 student was on financial aid warning;

16 “(ii) the student appeals the deter-
17 mination; and

18 “(iii)(I) the institution determines
19 that the student should be able to meet the
20 institution’s satisfactory academic progress
21 standards by the end of the subsequent
22 payment period; or

23 “(II) the institution develops an aca-
24 demic plan for the student that, if fol-
25 lowed, will ensure that the student is able

1 to meet the institution's satisfactory aca-
2 demic progress standards by a specific
3 point in time.

4 “(D) PAYMENT PERIOD FOLLOWING FI-
5 NANCIAL AID PROBATION.—A student on finan-
6 cial aid probation for a payment period may not
7 receive funds under this title for the subsequent
8 payment period unless the student makes satis-
9 factory academic progress or the institution de-
10 termines that the student met the requirements
11 specified by the institution in the academic plan
12 for the student developed under subparagraph
13 (C)(iii)(II).

14 “(E) FREQUENCY OF ACADEMIC PROGRESS
15 EVALUATION AND COMMUNICATION.—

16 “(i) IN GENERAL.—Subject to clause
17 (ii), for the purpose of determining wheth-
18 er presently enrolled students are main-
19 taining satisfactory progress, each institu-
20 tion of higher education that enrolls stu-
21 dents who receive any grant, loan, or work
22 assistance under this title shall review the
23 progress of such students at the end of
24 each payment period.

1 “(ii) SHORTER PAYMENT PERIODS.—
2 For each institution described in clause (i)
3 that has payment periods that are shorter
4 than on the semester system basis (such as
5 on a quarterly or trimester system basis or
6 by clock hour program or non-term pro-
7 gram), such institution shall review the
8 progress of presently enrolled students at
9 the end of each semester or equivalent pe-
10 riod of 12 to 18 weeks.

11 “(iii) FINANCIAL AID WARNING.—At
12 the end of each payment period (or, in the
13 case of an institution described in clause
14 (ii), at the end of each semester or equiva-
15 lent period), each institution shall send a
16 financial aid warning to presently enrolled
17 students that do not meet the grade point
18 average requirement described in para-
19 graph (2), or its equivalent or academic
20 standing consistent with the requirements
21 for graduation, as determined by the insti-
22 tution, that informs the students of their
23 risk of being determined to not be main-
24 taining satisfactory progress and therefore
25 losing eligibility for grant, loan, or work

1 assistance under this title and provides in-
2 formation on—

3 “(I) the specific criteria of the in-
4 stitution’s academic requirements that
5 the student is not meeting and the
6 specific improvements needed to meet
7 the requirements; and

8 “(II) how to meet with the stu-
9 dent’s academic advisor to get the
10 academic support the student needs.

11 “(5) DETAILING REQUIREMENTS TO STU-
12 DENTS.—Each institution of higher education that
13 enrolls students who receive any grant, loan, or work
14 assistance under this title shall detail the institu-
15 tion’s requirements regarding students maintaining
16 satisfactory academic progress—

17 “(A) to such students before the students
18 begin classes at the institution through a de-
19 tailed communication that may be separate
20 from a financial aid offer; and

21 “(B) on the financial aid webpage of the
22 website of the institution.

23 “(6) CONSUMER TESTING.—The Secretary—

24 “(A) shall conduct consumer testing to de-
25 velop exemplary practices and templates—

1 “(i) to support institutions of higher
2 education in carrying out paragraph (5);
3 and

4 “(ii) which shall be available as re-
5 sources for institutions of higher edu-
6 cation; and

7 “(B) shall not require the use of such
8 practices and templates by institutions of high-
9 er education.”.

10 **SEC. 106. FEDERAL PELL GRANTS FOR GRADUATE STU-**
11 **DENTS.**

12 Section 401 of the Higher Education Act of 1965 (20
13 U.S.C. 1070a), as amended by title VII of division FF
14 of the FAFSA Simplification Act (Public Law 116–260),
15 is amended—

16 (1) in subsection (b)(8)(A), by inserting “or as
17 a postbaccalaureate student in accordance with sub-
18 section (d)(1)” after “as an undergraduate”; and

19 (2) in subsection (d)—

20 (A) by amending paragraph (1) to read as
21 follows:

22 “(1) IN GENERAL.—The period during which a
23 student may receive Federal Pell Grants shall be the
24 period required for the completion of the first under-
25 graduate baccalaureate course of study being pur-

1 sued by that student at the institution at which the
2 student is in attendance except that—

3 “(A) any 1-year period during which the
4 student is enrolled in a noncredit or remedial
5 course of study as defined in paragraph (2)
6 shall not be counted for the purpose of this
7 paragraph; and

8 “(B) the period during which a student
9 may receive Federal Pell Grants shall also in-
10 clude the period required for the completion of
11 the first postbaccalaureate course of study in a
12 case in which—

13 “(i) the student received a Federal
14 Pell Grant during the period required for
15 the completion of the student’s first under-
16 graduate baccalaureate course of study for
17 at least 1 but fewer than 18 semesters, or
18 the equivalent of at least 1 but fewer than
19 18 semesters, as determined under para-
20 graph (5);

21 “(ii) the student would otherwise be
22 eligible for a Federal Pell Grant, but for
23 the completion of such baccalaureate
24 course of study; and

1 “(iii) the period during which the stu-
 2 dent receives Federal Pell Grants does not
 3 exceed the student’s duration limits under
 4 paragraph (5).”; and

5 (B) in paragraph (2), by striking “or cer-
 6 tificate” and inserting “, certificate, or first
 7 postbaccalaureate degree”.

8 **TITLE II—AMENDMENTS TO**
 9 **TERMS AND CONDITIONS OF**
 10 **LOANS AND REPAYMENT**
 11 **PLANS**

12 **PART A—DIRECT LOANS**

13 **SEC. 201. SUBSIDIZED LOANS FOR GRADUATE AND PROFES-**
 14 **SIONAL STUDENTS.**

15 Section 455(a)(3) of the Higher Education Act of
 16 1965 (20 U.S.C. 1087e(a)(3)) is amended—

17 (1) in subparagraph (A), in the matter pre-
 18 ceding clause (i), by striking “subparagraph (B)”
 19 and inserting “subparagraphs (B) and (C)”; and

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

21 “(C) **AUTHORITY TO MAKE INTEREST SUB-**
 22 **SIDIZED LOANS TO GRADUATE AND PROFES-**
 23 **SIONAL STUDENTS.—**For any period of instruc-
 24 tion at an institution of higher education (as
 25 defined in section 101 or section 102(a)(1)(C),

1 except that a graduate medical school, nursing
2 school, or a veterinary school, located outside
3 the United States that does not meet the re-
4 quirements of section 101(a)(4) shall be ex-
5 cluded) beginning on or after July 1, 2023, a
6 graduate or professional student shall be eligi-
7 ble to receive a Federal Direct Stafford loan
8 under this part.”.

9 **SEC. 202. INTEREST RATE ON SUBSIDIZED LOANS FOR**
10 **GRADUATE AND PROFESSIONAL STUDENTS.**

11 Section 455(b)(8)(B) of the Higher Education Act of
12 1965 (20 U.S.C. 1087e(b)(8)(B)) is amended—

13 (1) in the heading for subparagraph (B), by
14 striking “FDUSL” and inserting “FDSL AND FDUSL”;
15 and

16 (2) by inserting “and Federal Direct Stafford
17 Loans” after “Federal Direct Unsubsidized Stafford
18 Loans”.

19 **SEC. 203. REPEAL OF ORIGINATION FEES.**

20 Section 455(c)(2) of the Higher Education Act of
21 1965 (20 U.S.C. 1087e(c)(2)) is amended—

22 (1) by striking “and” at the end of subpara-
23 graph (D); and

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

1 “(E) by substituting ‘0.0 percent’ for ‘4.0
2 percent’ with respect to loans for which the first
3 disbursement of principal is made on or after
4 July 1, 2023.”.

5 **SEC. 204. PREPAYMENT AMOUNTS.**

6 Section 455(d) of the Higher Education Act of 1965
7 (20 U.S.C. 1087e(d)) is amended by adding at the end
8 the following:

9 “(6) APPLICATION OF PREPAYMENT
10 AMOUNTS.—

11 “(A) REQUIREMENT FOR ELIGIBLE BOR-
12 ROWERS.—

13 “(i) IN GENERAL.—Notwithstanding
14 any other provision of this subsection or
15 any other provision of law—

16 “(I) with respect to loans made
17 to an eligible borrower under this part
18 or part B, which are held by the same
19 holder and which have different appli-
20 cable rates of interest, the holder of
21 such loans shall, unless otherwise re-
22 quested by the borrower in writing,
23 apply the borrower’s prepayment
24 amount (within the meaning of sec-
25 tion 682.209(b) of title 34, Code of

1 Federal Regulations, or a successor
2 regulation) for one or more of such
3 loans, first toward the outstanding
4 balance of principal due on the loan
5 with the highest applicable rate of in-
6 terest among such loans; and

7 “(II) except as provided in sub-
8 clause (I), with respect to loans made
9 to an eligible borrower under this part
10 or part B, which are held by the same
11 holder and which have the same appli-
12 cable rates of interest, the holder of
13 such loans shall, unless otherwise re-
14 quested by the borrower in writing,
15 apply the borrower’s prepayment
16 amount (within the meaning of sec-
17 tion 682.209(b) of title 34, Code of
18 Federal Regulations, or a successor
19 regulation) for one or more of such
20 loans, first toward the outstanding
21 balance of principal due on the loan
22 with the highest principal balance
23 among such loans.

24 “(ii) ELIGIBLE BORROWER DE-
25 FINED.—For purposes of this paragraph,

1 the term ‘eligible borrower’ means a bor-
 2 rower with no outstanding balance of fees,
 3 including collection costs and authorized
 4 late charges, due on any loan made under
 5 this part or part B.

6 “(B) REQUIREMENT FOR OTHER BOR-
 7 ROWERS.—A prepayment amount (as described
 8 in subparagraph (A)(i)) made by a borrower
 9 who is not an eligible borrower to a holder shall
 10 be applied first toward the borrower’s out-
 11 standing balance of fees, including collection
 12 costs and authorized late charges, due on any
 13 loan made under this part or part B held by
 14 such holder.”.

15 **PART B—AUTOMATIC ENROLLMENT IN INCOME-**
 16 **DRIVEN REPAYMENT FOR CERTAIN BORROWERS**
 17 **SEC. 211. NOTIFICATION AND AUTOMATIC ENROLLMENT**
 18 **PROCEDURES FOR BORROWERS WHO ARE**
 19 **DELINQUENT ON LOANS.**

20 Section 455(d) of the Higher Education Act of 1965
 21 (20 U.S.C. 1087e(d)), as amended by this Act, is further
 22 amended by adding at the end the following:

23 “(9) NOTIFICATION AND AUTOMATIC ENROLL-
 24 MENT PROCEDURES FOR BORROWERS WHO ARE DE-
 25 LINQUENT ON LOANS.—

1 “(A) AUTHORITY TO OBTAIN INCOME IN-
2 FORMATION.—The Secretary shall establish and
3 implement, with respect to any borrower de-
4 scribed in subparagraph (B), procedures to—

5 “(i) use return information of the bor-
6 rower (and the borrower’s spouse, if appli-
7 cable) disclosed under section 6103(l)(13)
8 of the Internal Revenue Code of 1986, pur-
9 suant to approval provided under section
10 494, to determine the income and family
11 size of the borrower (and the borrower’s
12 spouse, if applicable) without further ac-
13 tion by the borrower;

14 “(ii) allow the borrower (or the spouse
15 of the borrower), at any time, to opt out
16 of disclosure under such section
17 6103(l)(13) and instead provide such infor-
18 mation as the Secretary may require to de-
19 termine the income and family size of the
20 borrower (and the borrower’s spouse, if ap-
21 plicable); and

22 “(iii) provide the borrower with an op-
23 portunity to update the return information
24 so disclosed before the determination of the

1 income and family size of the borrower for
2 purposes of this paragraph.

3 “(B) BORROWER NOTIFICATION.—With re-
4 spect to each borrower of a covered loan who is
5 at least 31 days delinquent on such loan and
6 who has not been subject to the procedures
7 under this paragraph for such loan in the pre-
8 ceding 62 days, the Secretary shall, as soon as
9 practicable after such 31-day delinquency, pro-
10 vide to the borrower the following:

11 “(i) Notification that the borrower is
12 at least 31 days delinquent on at least 1
13 covered loan, and a description of all delin-
14 quent covered loans, nondelinquent covered
15 loans, and noncovered loans of the bor-
16 rower.

17 “(ii) A brief description of the repay-
18 ment plans for which the borrower is eligi-
19 ble and the covered loans and noncovered
20 loans of the borrower that may be eligible
21 for such plans, based on information avail-
22 able to the Secretary.

23 “(iii) The amount of monthly pay-
24 ments for the covered and noncovered
25 loans under each repayment plan identified

1 under clause (ii), based on information
2 available to the Secretary, including, if the
3 income information of the borrower is
4 available to the Secretary under subpara-
5 graph (A), the income, family size, tax fil-
6 ing status, and tax year information on
7 which each such monthly payment is
8 based.

9 “(iv) Clear and simple instructions on
10 how to select the repayment plans.

11 “(v) An explanation that, in the case
12 of a borrower for whom adjusted gross in-
13 come is unavailable—

14 “(I) if the borrower selects to
15 repay the covered loans of such bor-
16 rower pursuant to an income-driven
17 repayment plan that defines discre-
18 tionary income in such a manner that
19 an individual not required under sec-
20 tion 6012(a)(1) of the Internal Rev-
21 enue Code of 1986 to file a return
22 with respect to income taxes imposed
23 by subtitle A of such Code may have
24 a calculated monthly payment greater
25 than \$0, the borrower will be required

1 to provide the Secretary with other
2 documentation of income satisfactory
3 to the Secretary, which documentation
4 the Secretary may use to determine
5 an appropriate repayment schedule;
6 and

7 “(II) if the borrower selects to
8 repay such loans pursuant to an in-
9 come-driven repayment plan that is
10 not described in subclause (I), the
11 borrower will not be required to pro-
12 vide the Secretary with such other
13 documentation of income, and the bor-
14 rower will have a calculated monthly
15 payment of \$0.

16 “(vi) An explanation that the Sec-
17 retary shall take the actions under sub-
18 paragraph (C) with respect to such bor-
19 rower, if—

20 “(I) the borrower is 80 days de-
21 linquent on 1 or more covered loans
22 and has not selected a new repayment
23 plan for the covered loans of the bor-
24 rower; and

1 “(II) in the case of such a bor-
2 rower whose existing repayment plan
3 for the covered loans of the borrower
4 is not an income-driven repayment
5 plan, the monthly payments under
6 such existing repayment plan are
7 higher than such monthly payments
8 would be under an income-driven re-
9 payment plan.

10 “(vii) Instructions on updating the in-
11 formation of the borrower obtained under
12 subparagraph (A).

13 “(C) SECRETARY’S SELECTION OF A
14 PLAN.—With respect to each borrower de-
15 scribed in subparagraph (B) whose existing re-
16 payment plan for the covered loans of the bor-
17 rower is described in clause (vi)(II) of subpara-
18 graph (B), and who has not selected a new re-
19 payment plan for such loans in accordance with
20 the notice received under such subparagraph
21 and who is at least 80 days delinquent on such
22 a loan, the Secretary shall, as soon as prac-
23 ticable—

1 “(i) in a case in which any of the bor-
2 rower’s covered loans are eligible for an in-
3 come-driven repayment plan—

4 “(I)(aa) provide the borrower
5 with the income-driven repayment
6 plan that requires the lowest monthly
7 payment amount for each covered loan
8 of the borrower, compared to any
9 other such plan for which the bor-
10 rower is eligible; or

11 “(bb) if more than one income-
12 driven repayment plan would offer the
13 borrower the same lowest monthly
14 payment amount, provide the bor-
15 rower with the income-driven repay-
16 ment plan that has the most favorable
17 terms for the borrower;

18 “(II) if the plan selected under
19 subclause (I) is not the income-driven
20 repayment plan that would have the
21 lowest monthly payment amount if the
22 borrower were eligible for such plan
23 for the borrower’s covered loans and
24 noncovered loans, notify the borrower
25 of the actions, if any, the borrower

1 may take to become eligible for such
2 income-driven repayment plan; and

3 “(III) authorize the borrower to
4 change the Secretary’s selection of a
5 plan under this clause to any plan de-
6 scribed in paragraph (1) for which the
7 borrower is eligible; and

8 “(ii) in a case in which none of the
9 borrower’s covered loans are eligible for an
10 income-driven repayment plan, notify the
11 borrower of the actions, if any, the bor-
12 rower may take for such loans to become
13 eligible for such a plan.”.

14 **SEC. 212. NOTIFICATION AND AUTOMATIC ENROLLMENT**
15 **PROCEDURES FOR BORROWERS WHO ARE**
16 **REHABILITATING DEFAULTED LOANS.**

17 Section 455(d) of the Higher Education Act of 1965
18 (20 U.S.C. 1087e(d)), as amended by this Act, is further
19 amended by adding at the end the following:

20 “(10) NOTIFICATION AND AUTOMATIC ENROLL-
21 MENT PROCEDURES FOR BORROWERS WHO ARE RE-
22 HABILITATING DEFAULTED LOANS.—

23 “(A) AUTHORITY TO OBTAIN INCOME IN-
24 FORMATION.—The Secretary shall establish and
25 implement, with respect to any borrower who is

1 rehabilitating a covered loan pursuant to sec-
2 tion 428F(a), procedures to—

3 “(i) use return information of the bor-
4 rower (and the borrower’s spouse, if appli-
5 cable) disclosed section 6103(l)(13) of the
6 Internal Revenue Code of 1986, pursuant
7 to approval provided under section 494, to
8 obtain such information as is reasonably
9 necessary regarding the income and family
10 size of the borrower (and the borrower’s
11 spouse, if applicable);

12 “(ii) allow the borrower (or the spouse
13 of the borrower), at any time, to opt out
14 of disclosure under such section
15 6103(l)(13) and instead provide such infor-
16 mation as the Secretary may require to ob-
17 tain such information; and

18 “(iii) provide the borrower with an op-
19 portunity to update the return information
20 so disclosed before the determination of in-
21 come and family size of the borrower (and
22 the borrower’s spouse, if applicable) for
23 purposes of this paragraph.

24 “(B) BORROWER NOTIFICATION.—Not
25 later than 30 days after a borrower makes the

1 6th payment required on such covered loan for
2 the loan rehabilitation described in subpara-
3 graph (A), the Secretary shall notify the bor-
4 rower of the process under subparagraph (C)
5 with respect to such loan.

6 “(C) SECRETARY’S SELECTION OF PLAN.—
7 With respect to each borrower who has made
8 the 9th payment required on such covered loan
9 for the loan rehabilitation described in subpara-
10 graph (A), the Secretary shall, as soon as prac-
11 ticable after such payment, carry out the proce-
12 dures described in clauses (i) and (ii) of para-
13 graph (9)(C) with respect to such loan.”.

14 **SEC. 213. COVERED LOAN, INCOME-DRIVEN REPAYMENT**
15 **PLAN, AND NON-COVERED LOAN DEFINED.**

16 Section 455(d) of the Higher Education Act of 1965
17 (20 U.S.C. 1087e(d)), as amended by this Act, is further
18 amended by adding at the end the following:

19 “(11) DEFINITIONS.—In this subsection:

20 “(A) COVERED LOAN.—The term ‘covered
21 loan’ means—

22 “(i) a loan made under this part;

23 “(ii) a loan purchased under section
24 459A; or

1 “(iii) a loan that has been assigned to
2 the Secretary under subsection (c)(8) or
3 (j)(3)(B) of section 428, or subsection
4 (a)(1)(A)(ii) or (a)(1)(G) of section 428F.

5 “(B) INCOME-DRIVEN REPAYMENT
6 PLAN.—The term ‘income-driven repayment
7 plan’ means a repayment plan described in sub-
8 paragraph (D) or (E) of paragraph (1).

9 “(C) NONCOVERED LOAN.—The term
10 ‘noncovered loan’ means a loan made, insured,
11 or guaranteed under this title that is not a cov-
12 ered loan.”.

13 **SEC. 214. AUTOMATIC RECERTIFICATION OF INCOME FOR**
14 **INCOME-DRIVEN REPAYMENT PLANS.**

15 (a) INCOME-CONTINGENT REPAYMENT PLANS.—Sec-
16 tion 455(e)(8)(A) of the Higher Education Act of 1965
17 (20 U.S.C. 1087e(e)(8)(A)) is amended—

18 (1) by striking “and” at the end of clause (ii);

19 (2) by redesignating clause (iii) as clause (iv);

20 (3) in clause (iv) (as so redesignated), by strik-
21 ing the period at the end and inserting “; and”; and

22 (4) by inserting after clause (ii), the following:

23 “(iii) in the case of a borrower who
24 has selected to repay a loan made under
25 this part pursuant to an income contingent

1 (B) in subparagraph (B), by striking “a
2 loan under part D” and inserting “a covered
3 loan (as defined in section 455(d)(11))”; and
4 (2) by adding at the end the following:

5 “(4) LOAN DELINQUENCY AND REHABILITA-
6 TION.—

7 “(A) BORROWERS DELINQUENT ON
8 LOANS.—In the case of an individual who is a
9 borrower of a covered loan and who is at least
10 31 days delinquent on such loan, the Secretary,
11 with respect to such individual and any spouse
12 of such individual, shall—

13 “(i) provide to such individuals the
14 notification described in paragraph
15 (1)(A)(i); and

16 “(ii) require, as a condition of eligi-
17 bility for the notification and automatic en-
18 rollment procedures under section
19 455(d)(9), that such individuals—

20 “(I) affirmatively approve the
21 disclosure described in paragraph
22 (1)(A)(i) and agree that such approval
23 shall serve as an ongoing approval of
24 such disclosure until the date on
25 which the individual elects to opt out

1 of such disclosure under section
2 455(d)(9)(A)(ii); or

3 “(II) provide such information as
4 the Secretary may require to carry
5 out the procedures under section
6 455(d)(9) with respect to such indi-
7 vidual.

8 “(B) LOAN REHABILITATION.—In the case
9 of any written or electronic application by an
10 individual for the rehabilitation of a covered
11 loan pursuant to section 428F(a), the Sec-
12 retary, with respect to such individual and any
13 spouse of such individual, shall—

14 “(i) provide to such individuals the
15 notification described in paragraph
16 (1)(A)(i); and

17 “(ii) require, as a condition of eligi-
18 bility for loan rehabilitation pursuant to
19 section 428F(a), that such individuals—

20 “(I) affirmatively approve the
21 disclosure described in paragraph
22 (1)(A)(i) and agree that such approval
23 shall serve as an ongoing approval of
24 such disclosure until the date on
25 which the individual elects to opt out

1 of such disclosure under section
2 455(d)(10)(A)(ii); or

3 “(II) provide such information as
4 the Secretary may require to carry
5 out the procedures under section
6 455(d)(10) with respect to such indi-
7 vidual.

8 “(C) COVERED LOAN DEFINED.—In this
9 paragraph, the term ‘covered loan’ has the
10 meaning given the term in section 455(d)(11).”.

11 **PART C—AMENDMENTS TO CERTAIN LOAN**

12 **FORGIVENESS PROGRAMS**

13 **SEC. 221. AMENDMENTS TO TERMS AND CONDITIONS OF**

14 **PUBLIC SERVICE LOAN FORGIVENESS.**

15 (a) NUMBER OF MONTHLY PAYMENTS; REPAYMENT
16 PLANS.—Paragraph (1) of section 455(m) of the Higher
17 Education Act of 1965 (20 U.S.C. 1087e(m)) is amend-
18 ed—

19 (1) in subparagraph (A)—

20 (A) in the matter preceding clause (i), by
21 striking “120” and inserting “96”;

22 (B) by striking “or” at the end of clause
23 (iii);

24 (C) in clause (iv), by striking “and” and
25 inserting “or”; and

1 (D) by adding at the end the following:

2 “(v) in lieu of such a payment, has
3 been in—

4 “(I) cancer treatment deferment
5 under section 427(a)(2)(C)(iv),
6 428(b)(1)(M)(v), or 455(f)(3);

7 “(II) rehabilitation training pro-
8 gram deferment under section
9 427(a)(2)(C)(i)(II),
10 428(b)(1)(M)(i)(II), or
11 455(f)(2)(A)(ii);

12 “(III) military service deferment
13 under section 428(b)(1)(M)(iii) or
14 455(f)(2)(C);

15 “(IV) unemployment deferment
16 under section 427(a)(2)(C)(ii),
17 428(b)(1)(M)(ii), 428B(d)(1)(A)(i), or
18 455(f)(2)(B);

19 “(V) deferment due to an eco-
20 nomic hardship described in section
21 427(a)(2)(C)(iii), section
22 428(b)(1)(M)(iv), section
23 428B(d)(1)(A)(i), section 435(o), or
24 section 455(f)(2)(D);

1 “(VI) Peace Corps service
2 deferment under section
3 682.210(b)(2)(ii) or 682.210(k) of
4 title 34, Code of Federal Regulations
5 (or successor regulations), as made
6 applicable to Direct Loan borrowers
7 under section 685.204(j) of such title
8 34;

9 “(VII) has been in post-active-
10 duty student deferment under section
11 493D;

12 “(VIII) AmeriCorps forbearance
13 under section 428(c)(3)(A)(i)(III);

14 “(IX) National Guard Duty for-
15 bearance under section
16 682.211(h)(2)(iii) or 685.205(a)(7) of
17 title 34, Code of Federal Regulations
18 (or successor regulations);

19 “(X) Department of Defense stu-
20 dent loan repayment program forbear-
21 ance under section
22 428(c)(3)(A)(i)(IV);

23 “(XI) Administrative forbearance
24 or mandatory administrative forbear-

1 ance under section 428(c)(3)(D) or
2 428H(e)(7); or

3 “(XII) Student loan debt burden
4 forbearance under section
5 428(c)(3)(A)(i)(II); and”; and

6 (2) in subparagraph (B), by striking “(i) is em-
7 ployed” and all that follows through “has been” and
8 inserting “has been”.

9 (b) AUTOMATIC CANCELLATION.—Paragraph (2) of
10 section 455(m) of the Higher Education Act of 1965 (20
11 U.S.C. 1087e(m)(2)) is amended by adding at the end the
12 following: “In the case of a borrower who meets the re-
13 quirements under paragraph (1) for such cancellation,
14 such cancellation shall occur without further action by the
15 borrower.”.

16 (c) TREATMENT OF REFINANCED LOANS; ON-LINE
17 PORTAL; DATABASE OF PUBLIC SERVICE JOBS.—Section
18 455(m) of such Act (20 U.S.C. 1087e(m)) is further
19 amended—

20 (1) by redesignating paragraphs (3) and (4) as
21 paragraphs (6) and (7), respectively; and

22 (2) by inserting after paragraph (2) the fol-
23 lowing:

24 “(3) TREATMENT OF LOANS REFINANCED
25 UNDER SECTIONS 460A.—In the case of an eligible

1 refinanced Federal Direct Loan under section 460A,
2 any monthly payment pursuant to any repayment
3 plan listed in paragraph (1)(A) (including a period
4 of deferment or forbearance described in paragraph
5 (1)(A)(v)) made on a loan, for which the liability has
6 been discharged by such refinanced loan and without
7 regard to whether such loan is an eligible Federal
8 Direct Loan, shall be treated as a monthly payment
9 under paragraph (1)(A) on the portion of such refi-
10 nanced loan that is attributable to such discharged
11 loan.

12 “(4) ON-LINE PORTAL.—

13 “(A) BORROWERS.—The Secretary shall
14 ensure that borrowers have access to an on-line
15 portal that provides each borrower who signs on
16 to such portal with the following:

17 “(i) Instructions on how to access the
18 database under paragraph (5) so that the
19 borrower can determine whether the bor-
20 rower is employed in a public service job.

21 “(ii) An identification of the loans of
22 the borrower that are eligible Federal Di-
23 rect Loans.

24 “(iii) With respect to each such eligi-
25 ble Federal Direct Loan, the number of

1 monthly payments on such loan that qual-
2 ify as a monthly payment under paragraph
3 (1)(A), and the estimated number of
4 monthly payments under paragraph (1)(A)
5 remaining on such loan before the bor-
6 rower may be eligible for loan cancellation
7 under this subsection.

8 “(iv) With respect to each loan of the
9 borrower that is not eligible for loan can-
10 cellation under this subsection, an expla-
11 nation of why the loan is not so eligible
12 and instructions on how what, if anything,
13 the borrower may do to make the loan so
14 eligible.

15 “(v) Instructions for the submission of
16 any forms associated with such loan can-
17 cellation, and an ability for the borrower to
18 use the portal to electronically sign and
19 submit such forms.

20 “(vi) In the case of a borrower who
21 disputes a determination of the Secretary
22 relating to the entitlement of the borrower
23 to loan cancellation under paragraph (2)—

24 “(I) an ability for the borrower
25 to file a claim with the Secretary to

1 dispute such determination through
2 the portal; and

3 “(II) in the case of such a claim
4 that has been filed, the status of such
5 claim, for which updates shall be pro-
6 vided not fewer than once every 90
7 days.

8 “(B) EMPLOYERS.—The Secretary shall
9 ensure that an employer of a borrower has the
10 option to electronically sign and submit any
11 forms associated with loan cancellation under
12 this subsection.

13 “(C) INFORMATION.—The Secretary shall
14 ensure that any information provided through
15 the on-line portal described in this paragraph is
16 up-to-date information.

17 “(5) DATABASE OF PUBLIC SERVICE JOBS.—

18 “(A) IN GENERAL.—The Secretary, in con-
19 sultation with the Secretary of Labor, shall es-
20 tablish and regularly update a database that
21 lists public service jobs.

22 “(B) PUBLIC AVAILABILITY.—The data-
23 base established under subparagraph (A) shall
24 be made available on a publicly accessible

1 website of the Department in an easily search-
2 able format.”.

3 (d) DEFINITIONS.—Section 455(m) of such Act is
4 further amended in paragraph (6)(A) (as so redesignated
5 by subsection (c))—

6 (1) by inserting before the period at the end the
7 following: “(including any Federal Direct Stafford
8 Loan, Federal Direct PLUS Loan, Federal Direct
9 Unsubsidized Stafford Loan, or Federal Direct Con-
10 solidation Loan refinanced under section 460A)”;

11 (2) by striking “The term” and inserting the
12 following:

13 “(i) IN GENERAL.—The term”; and

14 (3) by adding at the end the following:

15 “(ii) TREATMENT OF CERTAIN CON-
16 SOLIDATION LOAN PAYMENTS.—In the
17 case of an eligible Federal Direct Loan
18 that is a Federal Direct Consolidation
19 Loan made on or after the date of enact-
20 ment of the LOAN Act, any monthly pay-
21 ment pursuant to any repayment plan list-
22 ed in paragraph (1)(A) (including a period
23 of deferment or forbearance described in
24 paragraph (1)(A)(v)) made on a loan, for
25 which the liability has been discharged by

1 the proceeds of such Federal Direct Con-
2 solidation Loan and without regard to
3 whether the loan is an eligible Federal Di-
4 rect Loan, shall be treated as a monthly
5 payment under paragraph (1)(A) on the
6 portion of such Federal Direct Consolida-
7 tion Loan that is attributable to such dis-
8 charged loan, except that in a case of a
9 borrower who previously received a Federal
10 Direct Consolidation Loan, any monthly
11 payment made on a loan for which the li-
12 ability has been discharged by such pre-
13 vious consolidation loan shall not be treat-
14 ed as a monthly payment on a portion of
15 the subsequent Federal Direct Consolida-
16 tion Loan made on or after such date of
17 enactment.”.

18 (e) TREATMENT OF DOUBLE BENEFITS.—Section
19 455(m) of such Act is further amended in paragraph (7)
20 (as so redesignated by subsection (c)) by striking “both
21 this subsection and section 428J, 428K, 428L, or 460”
22 and inserting “both this subsection and section 428K or
23 428L”.

1 **SEC. 222. LOAN FORGIVENESS FOR TEACHERS.**

2 The Higher Education Act of 1965 (20 U.S.C. 1001
3 et seq.) is further amended—

4 (1) in section 428J(g)(2) (20 U.S.C. 1078–
5 10(g)(2))—

6 (A) in subparagraph (A), by inserting “or”
7 after the semicolon at the end;

8 (B) by striking subparagraph (B); and

9 (C) by redesignating subparagraph (C) as
10 subparagraph (B); and

11 (2) in section 460(g)(2) (20 U.S.C.
12 1087j(g)(2))—

13 (A) in subparagraph (A), by inserting “or”
14 after the semicolon at the end;

15 (B) by striking subparagraph (B); and

16 (C) by redesignating subparagraph (C) as
17 subparagraph (B).

18 **TITLE III—INTEREST**
19 **CAPITALIZATION**

20 **SEC. 301. ELIMINATION OF INTEREST CAPITALIZATION.**

21 (a) FEDERAL PLUS LOANS.—Section 428B(d)(2) of
22 the Higher Education Act of 1965 (20 U.S.C. 1078–
23 2(d)(2)) is amended to read as follows:

24 “(2) NO CAPITALIZATION OF INTEREST.—Inter-
25 est on loans made under this section for which pay-
26 ments of principal are deferred pursuant to para-

1 graph (1) shall be paid by the borrower and shall
2 not be capitalized.”.

3 (b) FEDERAL CONSOLIDATION LOANS DEFER-
4 RALS.—Section 428C(b)(4)(C)(ii)(III) of the Higher Edu-
5 cation Act of 1965 (20 U.S.C. 1078–3(b)(4)(C)(III)) is
6 amended by striking “or capitalized,”.

7 (c) DEFAULT REDUCTION PROGRAM.—Section
8 428F(a)(1)(E) of such Act of 1965 (20 U.S.C. 1078–
9 6(a)(1)(E)) is amended to read as follows:

10 “(E) DUTIES UPON ASSIGNMENT.—With
11 respect to a loan assigned under subparagraph
12 (A)(ii)—

13 “(i) the guaranty agency shall add to
14 the principal and interest outstanding at
15 the time of the assignment of such loan an
16 amount equal to the amount described in
17 subparagraph (D)(i)(II)(aa);

18 “(ii) the Secretary shall pay the guar-
19 anty agency, for deposit in the agency’s
20 Operating Fund established pursuant to
21 section 422B, an amount equal to the
22 amount added to the principal and interest
23 outstanding at the time of the assignment
24 in accordance with clause (i);

1 “(iii) for a loan assigned on or after
2 the date of enactment of the LOAN Act,
3 the interest outstanding at the time of the
4 assignment of such loan, and any interest
5 accruing after such time, shall not be cap-
6 italized; and

7 “(iv) beginning on the date of enact-
8 ment of LOAN Act, interest shall only ac-
9 cruer on the percentage of such a loan that
10 is equal to—

11 “(I) the amount of the out-
12 standing principal on the original loan
13 on the date it was assigned; divided
14 by

15 “(II) the total amount of such
16 assigned loan, including interest out-
17 standing at the time of the assign-
18 ment of such loan and the amount
19 added by the guaranty agency in ac-
20 cordance with clause (i), on the date
21 such loan was assigned.”.

22 (d) LOAN LIMITS FOR UNSUBSIDIZED STAFFORD
23 LOANS.—Section 428H(d)(5) of the Higher Education
24 Act of 1965 (20 U.S.C. 1078–8(d)(5)) is amended by in-

1 serting “before the date of enactment of the LOAN Act”
2 after “Interest capitalized”.

3 (e) UNSUBSIDIZED STAFFORD LOANS FOR MIDDLE
4 INCOME BORROWERS.—Section 428H(e)(2) of the Higher
5 Education Act of 1965 (20 U.S.C. 1078–8(e)(2)) is
6 amended—

7 (1) in the header, by striking “CAPITALIZA-
8 TION” and inserting “NO CAPITALIZATION”;

9 (2) in subparagraph (A), in the matter before
10 clause (i), by striking “, if agreed upon by the bor-
11 rower and the lender” and all that follows through
12 clause (ii)(IV) and inserting “be paid by the bor-
13 rower and shall not be capitalized.”;

14 (3) by striking subparagraph (B); and

15 (4) by redesignating subparagraph (C) as sub-
16 paragraph (B).

17 (f) INCOME CONTINGENT REPAYMENT.—Section
18 455(e)(5) of the Higher Education Act of 1965 (20 U.S.C.
19 1087e(e)(5)) is amended by striking the last sentence and
20 inserting “No interest may be capitalized on such loan on
21 or after the date of the enactment of the LOAN Act, and
22 the Secretary shall promulgate regulations with respect to
23 the treatment of accrued interest that is not capitalized”.

24 (g) DEFERMENT AND FORBEARANCE.—

1 (1) IN GENERAL.—Section 455(f) of the Higher
2 Education Act of 1965 (20 U.S.C. 1087e(f)) is
3 amended—

4 (A) in the subsection heading, by inserting
5 at the end the following: “AND FORBEARANCE”;

6 (B) in subparagraph (B), by striking “cap-
7 italized or”; and

8 (C) by adding at the end the following:

9 “(6) FORBEARANCE.—At the expiration of a
10 period of forbearance, interest shall not be capital-
11 ized on any loans made under this part.”.

12 (2) APPLICATION OF AMENDMENT.—The
13 amendments made by paragraph (1) shall apply to
14 any deferment or forbearance period in effect on the
15 date of enactment of this Act, or any deferment or
16 forbearance period beginning on or after such date
17 of enactment.

18 (h) INCOME-BASED REPAYMENT PROGRAM.—Section
19 493C(b)(3) of the Higher Education Act of 1965 (20
20 U.S.C. 1098e(b)(3)) is amended to read as follows:

21 “(3) on subsidized loans, any interest due and
22 not paid under paragraph (2) shall be paid by the
23 Secretary for a period of not more than 3 years
24 after the date of the borrower’s election under para-
25 graph (1), except that such period shall not include

1 any period during which the borrower is in
 2 deferment due to an economic hardship described in
 3 section 435(o);”.

4 (i) NOTES AND INSURANCE CERTIFICATES IN COM-
 5 BINED PAYMENT PLANS.—Section 485A(f) of the Higher
 6 Education Act of 1965 (20 U.S.C. 1092a(f)) is amended
 7 by adding at the end the following new paragraph:

8 “(3) TREATMENT OF INTEREST.—Not with-
 9 standing paragraphs (1) and (2), beginning on the
 10 date of enactment of the LOAN Act, interest on a
 11 loan reissued under subsection (e) shall not be cap-
 12 italized, and interest shall only accrue on the per-
 13 centage of such reissued loan that is equal to—

14 “(A) the amount of the outstanding prin-
 15 cipal on the original loan on the date it was re-
 16 issued; divided by

17 “(B) the total amount of such reissued
 18 loan on the date such loan was reissued.”.

19 **SEC. 302. ELIMINATION OF DISCLOSURE REQUIREMENTS**
 20 **RELATING TO CAPITALIZATION.**

21 (a) INSURANCE PROGRAM AGREEMENTS TO QUAL-
 22 IFY LOANS FOR INTEREST SUBSIDIES.—Section
 23 428(b)(1)(Y) of the Higher Education Act of 1965 (20
 24 U.S.C. 1078(b)(1)(Y)) is amended—

1 (1) in clause (i)(IV), by inserting “and” after
2 the semicolon;

3 (2) in clause (ii), by striking “; and” and in-
4 serting a period; and

5 (3) by striking clause (iii).

6 (b) FORBEARANCE.—Section 428(c)(3)(C) of such
7 Act of 1965 (20 U.S.C. 1078(c)(3)(C)) is amended—

8 (1) in clause (ii), by inserting “and” after the
9 semicolon; and

10 (2) by striking clauses (iii) and (iv) and insert-
11 ing the following:

12 “(iii) the lender shall contact the bor-
13 rower not less often than once every 180
14 days during the period of forbearance to
15 inform the borrower of—

16 “(I) the amount of unpaid prin-
17 cipal and the amount of interest that
18 has accrued since the last statement
19 of such amounts provided to the bor-
20 rower by the lender;

21 “(II) the fact that interest will
22 accrue on the loan for the period of
23 forbearance;

1 “(III) the responsibility of the
2 borrower to pay the interest that has
3 accrued; and

4 “(IV) the borrower’s option to
5 discontinue the forbearance at any
6 time; and”.

7 (c) REQUIRED DISCLOSURE BEFORE DISBURSE-
8 MENT.—Section 433(a) of the Higher Education Act of
9 1965 (20 U.S.C. 1083(a)) is amended—

10 (1) by amending paragraph (6) to read as fol-
11 lows:

12 “(6) for loans made under section 428H or to
13 a student borrower under section 428B, an expla-
14 nation that the borrower has the option to pay the
15 interest that accrues on the loan while the borrower
16 is a student at an institution of higher education;”;
17 and

18 (2) in paragraph (7)—

19 (A) in subparagraph (A), by inserting
20 “and” after the semicolon;

21 (B) by striking subparagraph (B); and

22 (C) by redesignating subparagraph (C) as
23 subparagraph (B).

24 (d) REQUIRED DISCLOSURE BEFORE REPAYMENT.—
25 Section 433(b)(3) of the Higher Education Act of 1965

1 (20 U.S.C. 1083(b)(3)) is amended by striking “(includ-
2 ing, if applicable, the estimated amount of interest to be
3 capitalized)”.

4 (e) SPECIAL DISCLOSURE RULES ON PLUS LOANS
5 AND UNSUBSIDIZED LOANS.—Section 433(d) of the High-
6 er Education Act of 1965 (20 U.S.C. 1083(d)) is amend-
7 ed—

8 (1) in the matter preceding paragraph (1)—

9 (A) by striking “resulting from capitaliza-
10 tion of interest”; and

11 (B) by striking “borrower of—” and in-
12 serting “borrower of paying the interest as the
13 interest accrues.”; and

14 (2) by striking paragraphs (1) and (2).

15 (f) DISCLOSURE REQUIRED PRIOR TO PERKINS RE-
16 PAYMENT.—Section 463A(b)(3) of the Higher Education
17 Act of 1965 (20 U.S.C. 1087cc–1(b)(3)) is amended by
18 striking “(including, if applicable, the estimated amount
19 of interest to be capitalized)”.

20 (g) DEPARTMENTAL PUBLICATION OF DESCRIP-
21 TIONS OF ASSISTANCE PROGRAMS.—Section 485(d)(1) of
22 the Higher Education Act of 1965 (20 U.S.C. 1092(d)(1))
23 is amended by striking “, including the increase in debt
24 that results from capitalization of interest”.

1 (h) INFORMATION TO BE PROVIDED DURING EN-
 2 TRANCE COUNSELING FOR BORROWERS.—Section
 3 485(l)(2)(C) of the Higher Education Act of 1965 (20
 4 U.S.C. 1092(l)(2)) is amended by striking “and is capital-
 5 ized”.

6 **TITLE IV—INTEREST RATES**

7 **SEC. 401. INTEREST RATE PROVISIONS FOR NEW FEDERAL** 8 **STUDENT LOANS ON OR AFTER JULY 1, 2023.**

9 Section 455(b) of the Higher Education Act of 1965
 10 (20 U.S.C. 1087e(b)) is amended—

11 (1) in paragraph (8)—

12 (A) in the paragraph heading, by inserting
 13 “AND BEFORE JULY 1, 2023”; and

14 (B) by inserting “and before July 1,
 15 2023,” after “July 1, 2013,” each place it ap-
 16 pears;

17 (2) by redesignating paragraphs (9) and (10)
 18 as paragraphs (10) and (11), respectively; and

19 (3) by inserting after paragraph (8) the fol-
 20 lowing new paragraph:

21 “(9) INTEREST RATE PROVISIONS FOR NEW
 22 LOANS ON OR AFTER JULY 1, 2023.—

23 “(A) RATE FOR FDSL, FDUSL, AND PLUS
 24 LOANS.—Notwithstanding the preceding para-
 25 graphs of this subsection, for Federal Direct

1 Stafford Loans, Federal Direct Unsubsidized
2 Stafford Loans, and Federal Direct PLUS
3 Loans, for which the first disbursement is made
4 on or after July 1, 2023, the applicable rate of
5 interest shall, for loans disbursed during any
6 12-month period beginning on July 1 and end-
7 ing on June 30, be determined on the preceding
8 June 1 and be equal to the lesser of—

9 “(i) a rate equal to the high yield of
10 the 10-year Treasury note auctioned at the
11 final auction held prior to such June 1; or

12 “(ii) 5.0 percent.

13 “(B) CONSOLIDATION LOANS.—Notwith-
14 standing the preceding paragraphs of this sub-
15 section, any Federal Direct Consolidation Loan
16 for which the application is received on or after
17 July 1, 2023, shall—

18 “(i) bear interest at an annual rate on
19 the unpaid principal balance of the loan
20 that is equal to the lesser of—

21 “(I) the weighted average of the
22 interest rates on the loans consoli-
23 dated, rounded to the nearest higher
24 one-eighth of one percent; or

25 “(II) 5.0 percent; and

1 “(ii) only accrue interest on the per-
2 centage of such Federal Direct Consolida-
3 tion Loan that is equal to—

4 “(I) the amount of the sum of
5 the unpaid principal on the loans con-
6 solidated; divided by

7 “(II) the total amount of such
8 Federal Direct Consolidation Loan.

9 “(C) CONSULTATION.—The Secretary shall
10 determine the applicable rate of interest under
11 this paragraph after consultation with the Sec-
12 retary of the Treasury and shall publish such
13 rate in the Federal Register as soon as prac-
14 ticable after the date of determination.

15 “(D) FIXED RATE.—The applicable rate of
16 interest determined under this paragraph for a
17 Federal Direct Stafford Loan, a Federal Direct
18 Unsubsidized Stafford Loan, a Federal Direct
19 PLUS Loan, or a Federal Direct Consolidation
20 Loan shall be fixed for the period of the loan.”.

21 **SEC. 402. REFINANCING FFEL AND FEDERAL DIRECT**
22 **LOANS.**

23 Part D of title IV of the Higher Education Act of
24 1965 (20 U.S.C. 1087a et seq.) is amended by adding at
25 the end the following:

1 **“SEC. 460A. REFINANCING FFEL AND FEDERAL DIRECT**
2 **LOANS.**

3 “(a) IN GENERAL.—The Secretary shall establish a
4 program under which the Secretary, upon the receipt of
5 an application from a qualified borrower, makes a loan
6 under this part, in accordance with the provisions of this
7 section, in order to permit the borrower to obtain the in-
8 terest rate provided under subsection (c).

9 “(b) REFINANCING DIRECT LOANS.—

10 “(1) FEDERAL DIRECT LOANS.—Upon applica-
11 tion of a qualified borrower, the Secretary shall
12 repay a Federal Direct Stafford Loan, a Federal Di-
13 rect Unsubsidized Stafford Loan, a Federal Direct
14 PLUS Loan, or a Federal Direct Consolidation
15 Loan of the qualified borrower, for which the first
16 disbursement was made, or the application for the
17 consolidation loan was received, before July 1, 2023,
18 with the proceeds of a refinanced Federal Direct
19 Stafford Loan, a Federal Direct Unsubsidized Staf-
20 ford Loan, a Federal Direct PLUS Loan, or a Fed-
21 eral Direct Consolidation Loan, respectively, issued
22 to the borrower in an amount equal to the sum of
23 the unpaid principal, accrued unpaid interest, and
24 late charges of the original loan.

25 “(2) REFINANCING FFEL PROGRAM LOANS AS
26 REFINANCED FEDERAL DIRECT LOANS.—Upon ap-

1 plication of a qualified borrower for any loan that
2 was made, insured, or guaranteed under part B and
3 for which the first disbursement was made, or the
4 application for the consolidation loan was received,
5 before July 1, 2010, the Secretary shall make a loan
6 under this part, in an amount equal to the sum of
7 the unpaid principal, accrued unpaid interest, and
8 late charges of the original loan to the borrower in
9 accordance with the following:

10 “(A) The Secretary shall pay the proceeds
11 of such loan to the eligible lender of the loan
12 made, insured, or guaranteed under part B, in
13 order to discharge the borrower from any re-
14 maining obligation to the lender with respect to
15 the original loan.

16 “(B) A loan made under this section that
17 was originally—

18 “(i) a loan originally made, insured,
19 or guaranteed under section 428 shall be a
20 Federal Direct Stafford Loan;

21 “(ii) a loan originally made, insured,
22 or guaranteed under section 428B shall be
23 a Federal Direct PLUS Loan;

24 “(iii) a loan originally made, insured,
25 or guaranteed under section 428H shall be

1 a Federal Direct Unsubsidized Stafford
2 Loan; and

3 “(iv) a loan originally made, insured,
4 or guaranteed under section 428C shall be
5 a Federal Direct Consolidation Loan.

6 “(C) The interest rate for each loan made
7 by the Secretary under this paragraph shall be
8 the rate provided under subsection (c).

9 “(c) INTEREST RATES.—

10 “(1) IN GENERAL.—The interest rate for the
11 refinanced Federal Direct Stafford Loans, Federal
12 Direct Unsubsidized Stafford Loans, Federal Direct
13 PLUS Loans, and Federal Direct Consolidation
14 Loans, shall be a rate equal to—

15 “(A) in any case where the original loan
16 was a loan under section 428, 428B, 428H, a
17 Federal Direct Stafford loan, a Federal Direct
18 Unsubsidized Stafford Loan, or a Federal Di-
19 rect PLUS Loan, a rate equal to the interest
20 rate determined under section 455(b)(9)(A) for
21 the date on which the refinanced loan is made;
22 and

23 “(B) in any case where the original loan
24 was a loan under section 428C or a Federal Di-

1 rect Consolidation Loan, a rate calculated in ac-
2 cordance with paragraph (2).

3 “(2) INTEREST RATES FOR CONSOLIDATION
4 LOANS.—

5 “(A) METHOD OF CALCULATION.—In
6 order to determine the interest rate for any re-
7 financed Federal Direct Consolidation Loan
8 under paragraph (1)(B), the Secretary shall—

9 “(i) determine each of the component
10 loans that were originally consolidated in
11 the loan under section 428C or the Federal
12 Direct Consolidation Loan, and calculate
13 the proportion of the unpaid principal bal-
14 ance of the loan under section 428C or the
15 Federal Direct Consolidation Loan that
16 each component loan represents;

17 “(ii) use the proportions determined
18 in accordance with clause (i) and the inter-
19 est rate applicable for each component
20 loan, as determined under subparagraph
21 (B), to calculate the weighted average of
22 the interest rates on the loans consolidated
23 into the loan under section 428C or the
24 Federal Direct Consolidation Loan; and

1 “(iii) make the applicable interest rate
2 for the refinanced Federal Direct Consoli-
3 dation Loan the lesser of—

4 “(I) the weighted average cal-
5 culated under clause (ii); or

6 “(II) 5.0 percent.

7 “(B) INTEREST RATES FOR COMPONENT
8 LOANS.—The interest rates for the component
9 loans of a loan made under section 428C or a
10 Federal Direct Consolidation Loan shall be the
11 following:

12 “(i) The interest rate for any loan
13 under section 428, 428B, 428H, Federal
14 Direct Stafford Loan, Federal Direct Un-
15 subsidized Stafford Loan, or Federal Di-
16 rect PLUS Loan shall be a rate equal to
17 the lesser of—

18 “(I) the interest rate determined
19 under section 455(b)(9)(A) for the
20 date on which the component loan is
21 made; or

22 “(II) the original interest rate of
23 the component loan.

24 “(ii) The interest rate for any compo-
25 nent loan that is a loan under section

1 428C or a Federal Direct Consolidation
2 Loan shall be the lesser of—

3 “(I) the weighted average of the
4 interest rates that would apply under
5 this subparagraph for each loan com-
6 prising the component consolidation
7 loan; or

8 “(II) 5 percent.

9 “(iii) The interest rate for any eligible
10 loan that is a component of a loan made
11 under section 428C or a Federal Direct
12 Consolidation Loan and is not described in
13 clauses (i) or (ii) shall be the lesser of—

14 “(I) the interest rate on the
15 original component loan; or

16 “(II) 5 percent.

17 “(3) FIXED RATE.—The applicable rate of in-
18 terest determined under paragraph (1) for a refi-
19 nanced loan under this section shall be fixed for the
20 period of the loan.

21 “(4) CAPITALIZED INTEREST AND FEES EX-
22 CLUDED.—With respect to a refinanced loan under
23 this section, interest shall only accrue on the per-
24 centage of such refinanced loan that is equal to—

1 “(A) the amount of the unpaid principal of
2 the original loan, or in the case of a refinanced
3 Federal Direct Consolidation Loan, the sum of
4 the unpaid principal of all the component loans,
5 comprising the refinanced loan; divided by

6 “(B) the total amount of such refinanced
7 loan.

8 “(d) TERMS AND CONDITIONS OF LOANS.—

9 “(1) IN GENERAL.—A loan that is refinanced
10 under this section shall have the same terms and
11 conditions as the original loan, except as otherwise
12 provided in this section.

13 “(2) NO AUTOMATIC EXTENSION OF REPAY-
14 MENT PERIOD.—Refinancing a loan under this sec-
15 tion shall not result in the extension of the duration
16 of the repayment period of the loan, and the bor-
17 rower shall retain the same repayment term that
18 was in effect on the original loan. Nothing in this
19 paragraph shall be construed to prevent a borrower
20 from electing a different repayment plan at any time
21 in accordance with section 455(d)(4).

22 “(e) DEFINITION OF QUALIFIED BORROWER.—For
23 purposes of this section, the term ‘qualified borrower’
24 means a borrower—

1 “(1) of a loan under this part or part B for
2 which the first disbursement was made, or the appli-
3 cation for a consolidation loan was received, before
4 July 1, 2023; and

5 “(2) who has one or more loans described in
6 paragraph (1) or (2) of subsection (b) with an inter-
7 est rate that exceeds 5 percent.

8 “(f) NOTIFICATION TO BORROWERS.—The Secretary,
9 in coordination with the Director of the Bureau of Con-
10 sumer Financial Protection, shall undertake a campaign
11 to alert borrowers of loans that are eligible for refinancing
12 under this section that the borrowers are eligible to apply
13 for such refinancing. The campaign shall include the fol-
14 lowing activities:

15 “(1) Developing consumer information mate-
16 rials about the availability of Federal student loan
17 refinancing.

18 “(2) Requiring servicers of loans under this
19 part or part B to provide such consumer information
20 to borrowers in a manner determined appropriate by
21 the Secretary, in consultation with the Director of
22 the Bureau of Consumer Financial Protection.”.

1 **SEC. 403. REFINANCING PRIVATE STUDENT LOANS.**

2 Part D of title IV of the Higher Education Act of
3 1965 (20 U.S.C. 1087a et seq.) is amended by adding at
4 the end the following:

5 **“SEC. 460B. FEDERAL DIRECT REFINANCED PRIVATE LOAN**
6 **PROGRAM.**

7 “(a) DEFINITIONS.—In this section:

8 “(1) ELIGIBLE PRIVATE EDUCATION LOAN.—

9 The term ‘eligible private education loan’ means a
10 private education loan, as defined in section 140(a)
11 of the Truth in Lending Act (15 U.S.C. 1650(a)),
12 that—

13 “(A) was disbursed to the borrower before
14 July 1, 2023; and

15 “(B) was for the borrower’s own postsec-
16 ondary educational expenses for an eligible pro-
17 gram at an institution of higher education par-
18 ticipating in the loan program under this part,
19 as of the date that the loan was disbursed.

20 “(2) FEDERAL DIRECT REFINANCED PRIVATE
21 LOAN.—The term ‘Federal Direct Refinanced Pri-
22 vate Loan’ means a loan issued under subsection
23 (b)(1).

24 “(3) PRIVATE EDUCATIONAL LENDER.—The
25 term ‘private educational lender’ has the meaning

1 given the term in section 140(a) of the Truth in
2 Lending Act (15 U.S.C. 1650(a)).

3 “(4) QUALIFIED BORROWER.—The term ‘quali-
4 fied borrower’ means an individual who—

5 “(A) has an eligible private education loan;

6 “(B) has been current on payments on the
7 eligible private education loan for the 6 months
8 prior to the date of the qualified borrower’s ap-
9 plication for refinancing under this section, and
10 is in good standing on the loan at the time of
11 such application;

12 “(C) is not in default on the eligible pri-
13 vate education loan or on any loan made, in-
14 sured, or guaranteed under this part or part B
15 or E; and

16 “(D) meets the eligibility requirements de-
17 scribed in subsection (b)(2).

18 “(b) PROGRAM AUTHORIZED.—

19 “(1) IN GENERAL.—The Secretary, in consulta-
20 tion with the Secretary of the Treasury, shall carry
21 out a program under which the Secretary, upon ap-
22 plication by a qualified borrower who has an eligible
23 private education loan, shall issue such borrower a
24 loan under this part in accordance with the fol-
25 lowing:

1 “(A) The loan issued under this program
2 shall be in an amount equal to the sum of the
3 unpaid principal, accrued unpaid interest, and
4 late charges of the private education loan.

5 “(B) The Secretary shall pay the proceeds
6 of the loan issued under this program to the
7 private educational lender of the private edu-
8 cation loan, in order to discharge the qualified
9 borrower from any remaining obligation to the
10 lender with respect to the original loan.

11 “(C) The Secretary shall require that the
12 qualified borrower undergo loan counseling that
13 provides all of the relevant information and
14 counseling required under section 485(l)(2) be-
15 fore the loan is refinanced in accordance with
16 this section, and before the proceeds of such
17 loan are paid to the private educational lender.

18 “(D) The Secretary shall issue the loan as
19 a Federal Direct Refinanced Private Loan,
20 which shall have the same terms, conditions,
21 and benefits as a Federal Direct Unsubsidized
22 Stafford Loan, except as otherwise provided in
23 this section.

1 “(E) The interest rate for each loan made
2 by the Secretary under this section shall be the
3 rate provided under subsection (c).

4 “(2) BORROWER ELIGIBILITY.—The Secretary,
5 in consultation with the Secretary of the Treasury
6 and the Director of the Consumer Financial Protec-
7 tion Bureau, shall establish eligibility require-
8 ments—

9 “(A) to ensure eligibility only for borrowers
10 in good standing;

11 “(B) to minimize inequities between Fed-
12 eral Direct Refinanced Private Loans and other
13 Federal student loans;

14 “(C) to preclude windfall profits for pri-
15 vate educational lenders; and

16 “(D) to ensure full access to the program
17 authorized in this subsection for borrowers with
18 private loans who otherwise meet the criteria
19 established in accordance with subparagraph
20 (A).

21 “(c) INTEREST RATE.—

22 “(1) IN GENERAL.—The interest rate for a
23 Federal Direct Refinanced Private Loan is a rate
24 equal to the interest rate determined under section

1 455(b)(9)(A) for the date on which the refinanced
2 private loan is made.

3 “(2) FIXED RATE.—The interest rate deter-
4 mined under this subsection for a Federal Direct
5 Refinanced Private Loan shall be fixed for the pe-
6 riod of the loan.

7 “(3) CAPITALIZED INTEREST AND FEES EX-
8 CLUDED.—With respect to a Federal Direct Refi-
9 nanced Private Loan under this section, interest
10 shall only accrue on the percentage of such Refi-
11 nanced Private Loan that is equal to—

12 “(A) the amount of the unpaid principal of
13 the original loan comprising the Refinanced
14 Private Loan on the date such original loan was
15 refinanced; divided by

16 “(B) the total amount of such Refinanced
17 Private Loan.

18 “(d) NO INCLUSION IN AGGREGATE LIMITS.—The
19 amount of a Federal Direct Refinanced Private Loan, or
20 a Federal Direct Consolidated Loan to the extent such
21 loan was used to repay a Federal Direct Refinanced Pri-
22 vate Loan, shall not be included in calculating a bor-
23 rower’s annual or aggregate loan limits under section 428
24 or 428H.

1 “(e) NO ELIGIBILITY FOR SERVICE-RELATED RE-
2 PAYMENT.—A Federal Direct Refinanced Private Loan, or
3 any Federal Direct Consolidation Loan to the extent such
4 loan was used to repay a Federal Direct Refinanced Pri-
5 vate Loan, shall not be eligible for any loan repayment
6 or loan forgiveness program under section 428K, 428L,
7 or 460 or for the loan cancellation repayment plan for
8 public service employees under section 455(m).

9 “(f) PRIVATE EDUCATIONAL LENDER REPORTING
10 REQUIREMENT.—

11 “(1) REPORTING REQUIRED.—The Secretary,
12 in consultation with the Secretary of the Treasury
13 and the Director of the Bureau of Consumer Finan-
14 cial Protection, shall establish a requirement that, in
15 order to allow for an assessment of the private edu-
16 cation loan market, private educational lenders re-
17 port the data described in paragraph (2) to—

18 “(A) the Secretary;

19 “(B) the Secretary of the Treasury;

20 “(C) the Director of the Consumer Finan-
21 cial Protection Bureau;

22 “(D) the Committee on Education and
23 Labor of the House of Representatives;

24 “(E) the Committee on Financial Services
25 of the House of Representatives;

1 “(F) the Senate Committee on Health,
2 Education, Labor, and Pensions; and

3 “(G) the Senate Committee on Banking,
4 Housing, and Urban Affairs.

5 “(2) CONTENTS OF REPORTING.—The data
6 that private educational lenders shall report in ac-
7 cordance with paragraph (1) shall include each of
8 the following about private education loans (as de-
9 fined in section 140(a) of the Truth in Lending Act
10 (15 U.S.C. 1650(a))):

11 “(A) The total amount of private education
12 loan debt the lender holds.

13 “(B) The total number of private edu-
14 cation loan borrowers the lender serves.

15 “(C) The average interest rate on the out-
16 standing private education loan debt held by the
17 lender.

18 “(D) The proportion of private education
19 loan borrowers who are in default on a loan
20 held by the lender.

21 “(E) The proportion of the outstanding
22 private education loan volume held by the lend-
23 er that is in default.

1 “(F) The proportions of outstanding pri-
2 vate education loan borrowers who are 30, 60,
3 and 90 days delinquent.

4 “(G) The proportions of outstanding pri-
5 vate education loan volume that is 30, 60, and
6 90 days delinquent.

7 “(g) NOTIFICATION TO BORROWERS.—The Sec-
8 retary, in coordination with the Secretary of the Treasury
9 and the Director of the Consumer Financial Protection
10 Bureau, shall undertake a campaign to alert borrowers
11 about the availability of private student loan refinancing
12 under this section.”.

○