

116TH CONGRESS
1ST SESSION

S. 1203

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

IN THE SENATE OF THE UNITED STATES

APRIL 11, 2019

Mrs. GILLIBRAND (for herself, Mr. KAINE, Ms. WARREN, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. DURBIN, Ms. HARRIS, Mr. VAN HOLLEN, Mr. BOOKER, Mrs. SHAHEEN, Mr. MERKLEY, Ms. HASSAN, Ms. DUCKWORTH, Mr. SANDERS, Ms. BALDWIN, Mr. BENNET, Mr. CASEY, and Ms. ROSEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “What You Can Do
5 For Your Country Act”.

6 **SEC. 2. AMENDMENTS TO THE PUBLIC SERVICE LOAN FOR-**
7 **GIVENESS PROGRAM.**

8 (a) PUBLIC SERVICE LOAN FORGIVENESS.—

1 (1) IN GENERAL.—Section 455(m) of the High-
 2 er Education Act of 1965 (20 U.S.C. 1087e(m)) is
 3 amended to read as follows:

4 “(m) LOAN FORGIVENESS FOR FEDERAL STUDENT
 5 LOAN BORROWERS EMPLOYED IN PUBLIC SERVICE.—

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

7 “(A) CERTIFICATION OF EMPLOYMENT.—

8 The term ‘certification of employment’ means a
 9 certification of employment under paragraph
 10 (4).

11 “(B) FULL-TIME.—The term ‘full-time’,
 12 when used with respect to employment, means
 13 employment—

14 “(i) with a qualifying employer for not
 15 less than 30 hours per week; or

16 “(ii) with 2 or more qualifying em-
 17 ployers for a total of not less than 30
 18 hours per week.

19 “(C) QUALIFYING EMPLOYER.—The term
 20 ‘qualifying employer’ means—

21 “(i) a Federal, State, local, or Tribal
 22 government organization or instrumen-
 23 tality, including any organization estab-
 24 lished in law as a body politic;

1 “(ii) an organization that is described
2 in section 501(c)(3) of the Internal Rev-
3 enue Code of 1986, and exempt from tax-
4 ation under section 501(a) of such Code;
5 or

6 “(iii) an organization—

7 “(I) not described in clause (ii)
8 that is a not-for-profit organization
9 under other Federal or State law;

10 “(II) that is not a labor organi-
11 zation or partisan political organiza-
12 tion; and

13 “(III) whose purpose is to di-
14 rectly provide any of the following
15 services, as defined in regulations pro-
16 mulgated the Secretary:

17 “(aa) Emergency manage-
18 ment and disaster response.

19 “(bb) Military service.

20 “(cc) Public safety services,
21 including fire prevention and
22 suppression, rescue services, haz-
23 ardous materials response, ambu-
24 lance services, and emergency
25 medical services.

1 “(dd) Law enforcement.

2 “(ee) Public health, includ-
3 ing service through organizations
4 that employ nurses, nurse practi-
5 tioners, nurses in a clinical set-
6 ting, or professionals engaged in
7 health care practitioner occupa-
8 tions and health care support oc-
9 cupations, as such terms are de-
10 fined by the Bureau of Labor
11 Statistics.

12 “(ff) Public education, in-
13 cluding the provision of edu-
14 cational enrichment or support
15 directly to students or their fami-
16 lies, employment with a Tribal
17 College or University (as defined
18 in section 316(b)), and employ-
19 ment as an adjunct faculty mem-
20 ber or instructor for an edu-
21 cational institution.

22 “(gg) Public interest law
23 services, including prosecution or
24 public defense or legal advocacy
25 on behalf of low-income commu-

1 nities at a not-for-profit organi-
2 zation.

3 “(hh) Early childhood edu-
4 cation, including licensed or regu-
5 lated childcare, Head Start pro-
6 grams, and State funded pre-
7 kindergarten.

8 “(ii) Public service for indi-
9 viduals with disabilities.

10 “(jj) Public service for the
11 elderly.

12 “(kk) Public and school-
13 based library sciences.

14 “(ll) School-based services,
15 including the provision of non-
16 educational enrichment or sup-
17 port directly to students or their
18 families.

19 “(mm) Social work, includ-
20 ing child or family services.

21 “(D) QUALIFYING MONTHLY PAYMENT OB-
22 LIGATION.—The term ‘qualifying monthly pay-
23 ment obligation’ means a monthly payment obli-
24 gation due on a loan under the repayment plan
25 of the borrower—

1 “(i) that was satisfied by the borrower
2 through a payment made after October 1,
3 2007; and

4 “(ii) attributable to a period during
5 which the borrower was employed full-time
6 by a qualifying employer.

7 “(2) IN GENERAL.—Beginning on July 1, 2019,
8 the Secretary shall forgive the applicable percentage
9 described in paragraph (3) of the balance of prin-
10 cipal and interest due on a loan made under this
11 part for a borrower who has satisfied 60 or 120
12 qualifying monthly payment obligations on a loan
13 made under this part and submitted any certifi-
14 cation of employment required under this subsection.

15 “(3) LOAN FORGIVENESS AFTER 60 PAYMENT
16 OBLIGATIONS AND 120 PAYMENT OBLIGATIONS.—
17 The applicable percentages under this paragraph
18 shall be—

19 “(A) in the case of a borrower who satis-
20 fies 60 qualifying monthly payment obligations
21 on a loan made under this part that is not in
22 default (as defined in section 435), 50 percent
23 of the total amount of the balance of principal
24 and interest due on such loan as of the date of
25 the loan forgiveness; and

1 “(B) in the case of a borrower who satis-
 2 fies 120 qualifying monthly payment obligations
 3 on a loan made under this part that is not in
 4 default, 100 percent of the balance of principal
 5 and interest due on such loan as of the date of
 6 the loan forgiveness.

7 “(4) CERTIFICATION OF EMPLOYMENT RE-
 8 QUIREMENTS.—

9 “(A) IN GENERAL.—In order to receive
 10 loan forgiveness under this subsection, a bor-
 11 rower of a loan made under this part shall sub-
 12 mit to the Secretary a certification of employ-
 13 ment.

14 “(B) CONTENT OF CERTIFICATION.—The
 15 Secretary shall—

16 “(i) develop, and make easily acces-
 17 sible, the certification of employment; and

18 “(ii) ensure that the method of certifi-
 19 cation—

20 “(I) allows for the employer to
 21 indicate and certify the dates of the
 22 borrower’s employment; and

23 “(II) provides electronic signa-
 24 ture options for the employer and for
 25 the borrower.

1 “(C) BORROWER ACCESS.—The Secretary
2 shall ensure that a borrower may submit a cer-
3 tification of employment to the Secretary elec-
4 tronically through any information system
5 through which the Secretary permits borrowers
6 to take self-service actions with respect to their
7 loans.

8 “(D) EXCEPTION FOR SELF-CERTIFI-
9 CATION.—The Secretary shall provide a self-
10 certification option for the certification of em-
11 ployment for borrowers who have extenuating
12 circumstances preventing the borrowers from
13 obtaining the qualifying employer signature and
14 certification required under subparagraph
15 (B)(ii), as determined by the Secretary pursu-
16 ant to rulemaking and including situations
17 where an employer is no longer in existence or
18 refuses to cooperate.

19 “(E) PERIODIC REVIEW OF CERTIFICATION
20 OF EMPLOYMENT.—For each borrower of a loan
21 made under this part who has submitted a cer-
22 tification of employment, the Secretary shall—

23 “(i) by not later than 30 days after
24 receipt of the certification of employ-
25 ment—

1 “(I) review the certification of
2 employment and determine the num-
3 ber of qualifying monthly payment ob-
4 ligations satisfied on the loan during
5 the period of employment covered by
6 the certification of employment;

7 “(II) inform the borrower of the
8 number of qualifying monthly pay-
9 ment obligations satisfied; and

10 “(III) inform the borrower of the
11 number of remaining qualifying
12 monthly payment obligations to be
13 satisfied in order for the borrower to
14 receive partial loan forgiveness under
15 paragraph (3)(A), and such number
16 needed to receive full loan forgiveness
17 under paragraph (3)(B); and

18 “(ii) periodically, but not less than
19 twice annually, notify the borrower, using
20 the most recent calculation of qualifying
21 monthly payment obligations, of—

22 “(I) the number of qualifying
23 monthly payment obligations satisfied,
24 as of the date of the notice;

1 “(II) the number of remaining
 2 qualifying monthly payment obliga-
 3 tions to be satisfied in order for the
 4 borrower to receive partial loan for-
 5 giveness under paragraph (3)(A), and
 6 such number needed to receive full
 7 loan forgiveness under paragraph
 8 (3)(B);

9 “(III) any steps the borrower can
 10 take to convert non-qualifying month-
 11 ly payment obligations into qualifying
 12 monthly payment obligations, includ-
 13 ing the options to provide payments to
 14 satisfy monthly payment obligations
 15 for past public service under para-
 16 graph (5)(C); and

17 “(IV) the dispute resolution proc-
 18 ess for the Secretary’s determination
 19 of qualifying monthly payment obliga-
 20 tions, as described in paragraph (7).

21 “(5) QUALIFYING MONTHLY PAYMENT OBLIGA-
 22 TIONS.—

23 “(A) IN GENERAL.—For purposes of this
 24 subsection, the number of qualifying monthly
 25 payment obligations satisfied on a loan is the

1 number of monthly payments, during the period
2 of employment and based on the repayment
3 plan selected by the borrower for such period,
4 that would be satisfied based on applying the
5 total amount of payments made by the bor-
6 rower on the loan at any time during such pe-
7 riod.

8 “(B) ADJUSTMENT OF PAYMENT OBLIGA-
9 TION STATUS.—

10 “(i) HOLD HARMLESS AGAINST RET-
11 ROACTIVE DETERMINATIONS.—If the Sec-
12 retary has classified a payment obligation
13 satisfied by a borrower of a loan made
14 under this part as a qualifying monthly
15 payment obligation and later determines
16 that the payment obligation does not qual-
17 ify, the Secretary shall deem the payment
18 obligation to be a qualifying monthly pay-
19 ment obligation to be counted for purposes
20 of paragraph (2).

21 “(ii) EXPLANATION OF NON-QUALI-
22 FYING PAYMENT OBLIGATION DETERMINA-
23 TIONS.—If the Secretary determines that
24 payments made by a borrower of a loan
25 made under this part for a period of full-

1 time employment with a qualifying em-
2 ployer cannot be applied toward the total
3 number of qualifying monthly payment ob-
4 ligations for purposes of paragraph (2),
5 the Secretary shall provide a borrower with
6 an explanation and allow the borrower to
7 correct the reason for such determination,
8 to the extent possible. Such borrower reme-
9 diation shall include, at a minimum, pro-
10 viding a borrower with the opportunity to
11 reimburse the Secretary for any under-
12 payment.

13 “(C) SATISFYING PREVIOUSLY NON-QUALI-
14 FYING MONTHLY PAYMENT OBLIGATIONS.—

15 “(i) IN GENERAL.—A borrower of a
16 loan made under this part who has a pe-
17 riod during which the borrower was em-
18 ployed full-time with a qualifying employer
19 but did not satisfy one or more qualifying
20 monthly payment obligations during such
21 period, such as a borrower who was in
22 deferment or forbearance, may satisfy one
23 or more monthly payment obligations of
24 that period at a later date by paying the
25 additional amount needed to satisfy the

1 qualifying monthly payment obligation, in
2 accordance with a process established by
3 the Secretary.

4 “(ii) DETERMINATION PROCESS.—The
5 amount of past monthly payment obliga-
6 tions satisfied by a payment under this
7 subparagraph for a period of employment
8 shall be determined using the amount of
9 the borrower’s monthly payment, based on
10 any repayment plan, as selected by the
11 borrower, that could have been selected by
12 the borrower during such period. The Sec-
13 retary may require a borrower wishing to
14 satisfy past monthly payment obligations
15 under this subparagraph to submit any ad-
16 ditional information necessary to calculate
17 the amount of the past payments.

18 “(iii) LIMIT.—A borrower may not
19 satisfy more than 36 past monthly pay-
20 ment obligations under this subparagraph.

21 “(6) SPECIAL RULES RELATING TO FEDERAL
22 DIRECT CONSOLIDATION LOANS.—

23 “(A) REVIEW OF ANY NEW CONSOLIDA-
24 TION LOAN APPLICATION.—

1 “(i) PUBLIC SERVICE LOAN FORGIVE-
2 NESS OPTION ON CONSOLIDATION APPLICA-
3 TION.—Beginning on July 1, 2019, the
4 Secretary shall include, in any application
5 for a Federal Direct Consolidation Loan,
6 the option for the borrower to indicate that
7 the borrower is consolidating for the pur-
8 pose of using the public service loan for-
9 giveness program under this subsection.

10 “(ii) REVIEW.—Beginning on July 1,
11 2019, the Secretary shall, after issuing any
12 Federal Direct Consolidation Loan to a
13 borrower who indicated an interest in the
14 public service loan forgiveness program on
15 the loan application—

16 “(I) request that the borrower
17 submit a certification of employment;
18 and

19 “(II) after receiving a complete
20 certification of employment, review
21 the borrower’s past payments on all
22 component loans comprising the Fed-
23 eral Direct Consolidation Loan and
24 inform the borrower—

1 “(aa) of the number of
2 monthly payment obligations sat-
3 isfied by the borrower before the
4 date of consolidation that are
5 qualifying monthly payment obli-
6 gations, in accordance with sub-
7 paragraph (B); or

8 “(bb) if no payment obliga-
9 tions are satisfied, that the bor-
10 rower will not receive any credit
11 towards public service loan for-
12 giveness under this subsection for
13 the Federal Direct Consolidation
14 Loan.

15 “(B) QUALIFYING PAYMENT OBLIGATIONS
16 ON ALL COMPONENT LOANS AND LOAN TYPES
17 THROUGH CONSOLIDATION.—In the case of a
18 borrower of one or more loans eligible for con-
19 solidation, including loans made under part B,
20 who applies for, and receives, a Federal Direct
21 Consolidation Loan, the Secretary shall request
22 the borrower submit a certification of employ-
23 ment for any qualifying employment and, after
24 receiving the certification of employment,
25 shall—

1 “(i) review the borrower’s payment
2 history on each of the component loans
3 comprising the Federal Direct Consolida-
4 tion Loan, including each loan made under
5 part B; and

6 “(ii) for each component loan—

7 “(I) calculate the weighted factor
8 of the component loan, which shall be
9 the factor that represents the ratio
10 between the amount of the component
11 loan and the amount of the Federal
12 Direct Consolidation Loan, as deter-
13 mined by the Secretary;

14 “(II) determine the number of
15 equivalent monthly payment obliga-
16 tions toward the Federal Direct Con-
17 solidation Loan satisfied on the com-
18 ponent loan by multiplying the weight-
19 ed factor for the component loan by
20 the number of qualifying monthly pay-
21 ment obligations that the borrower
22 satisfied on the component loan; and

23 “(III) after rounding the number
24 determined under subclause (II) to
25 the nearest whole number, deem that

1 number of equivalent monthly pay-
2 ment obligations to be qualifying
3 monthly payment obligations on the
4 Federal Direct Consolidation Loan.

5 “(C) APPLICABILITY OF BORROWER PRO-
6 TECTIONS AND RIGHTS.—A borrower of one or
7 more loans eligible for consolidation, including
8 loans made under part B, who applies for and
9 receives a Federal Direct Consolidation Loan
10 shall receive all the protections and rights pro-
11 vided under subparagraphs (B) and (C) of
12 paragraph (5) for the loan, and for any compo-
13 nent loan, in the same manner as provided to
14 any other borrower of a loan made under this
15 part.

16 “(7) NOTICE OF QUALIFYING PAYMENT OBLIGA-
17 TIONS.—

18 “(A) INITIAL NOTICE.—Upon receiving
19 any verbal or written contact by a borrower on
20 or after July 1, 2019, expressing interest in the
21 public service loan forgiveness program under
22 this subsection, the Secretary, or an eligible
23 lender or guaranty agency under part B, shall
24 provide the borrower, by not later than 30 days
25 after the contract, with a notice that—

1 “(i) explains the requirements of the
2 program, including whether the borrower
3 needs to consolidate some or all of the bor-
4 rower’s loans to receive forgiveness under
5 this subsection;

6 “(ii) includes a copy of, or a link to,
7 information about the certification of em-
8 ployment process described in paragraph
9 (4);

10 “(iii) includes an estimate of the
11 qualifying monthly payment obligations
12 that would be satisfied by the borrower
13 based on the borrower’s payment history,
14 as of the date of notice, if the borrower
15 was a full-time employee of a qualifying
16 employer and met the requirements of
17 paragraph (2); and

18 “(iv) includes an estimate of the num-
19 ber of remaining qualifying monthly pay-
20 ment obligations to be satisfied in order
21 for the borrower to receive partial loan for-
22 giveness under paragraph (3)(A), and such
23 number needed to receive full loan forgive-
24 ness under paragraph (3)(B).

1 “(B) SUBSEQUENT NOTICES.—After pro-
 2 viding an initial notice under subparagraph (A),
 3 the Secretary, or an eligible lender or guaranty
 4 agency under part B, shall annually provide the
 5 borrower with a notice containing the informa-
 6 tion described in such subparagraph for each
 7 subsequent year that the borrower has an out-
 8 standing loan, unless the borrower receives no-
 9 tices under paragraph (4)(E)(ii) or requests
 10 that the notices be discontinued.

11 “(8) DISPUTE RESOLUTION PROCESS.—By not
 12 later than July 1, 2019, the Secretary shall establish
 13 a process for borrowers to dispute the calculation of
 14 qualifying monthly payment obligations, or the de-
 15 termination of full or partial loan forgiveness under
 16 paragraph (2), following the submission of a certifi-
 17 cation of employment or application for forgiveness
 18 or any successor certification or application.

19 “(9) DATABASE OF QUALIFYING EMPLOYERS.—

20 “(A) IN GENERAL.—Not later than July 1,
 21 2019, the Secretary shall—

22 “(i) establish a database that will in-
 23 clude all employers from which the Sec-
 24 retary has received a certification of em-
 25 ployment; and

1 “(ii) use such database to aid the Sec-
2 retary in processing a certification of em-
3 ployment and in providing the notices re-
4 quired under subsection (r)(3).

5 “(B) DATA MATCHING AGREEMENTS.—

6 “(i) IN GENERAL.—The Secretary
7 shall enter into data matching agreements
8 with relevant Federal agencies who possess
9 records about the status of employers or
10 the status of borrowers as employees of
11 qualifying employers for the purpose of
12 eliminating, to the extent practicable, the
13 need for a borrower or employer to submit
14 a certification of employment to the Sec-
15 retary.

16 “(ii) SPECIFIC FEDERAL AGENCIES.—
17 Notwithstanding any Federal law, the Sec-
18 retary of Labor, the Commissioner of In-
19 ternal Revenue, and the Commissioner of
20 Social Security shall disclose any relevant
21 records to the Secretary for the purposes
22 of meeting the Secretary’s obligations to
23 reduce barriers to certification of employ-
24 ment as described in clause (i).

1 “(iii) NOTICE TO BORROWERS.—If the
2 Secretary receives employer or employment
3 information regarding a borrower from a
4 Federal agency pursuant to this subpara-
5 graph, the Secretary shall timely notify the
6 borrower that—

7 “(I) the Secretary received the
8 information; and

9 “(II) the borrower, for the dura-
10 tion of the borrower’s employment by
11 the employer—

12 “(aa) is not required to sub-
13 mit a certification of employment
14 for the employer under para-
15 graph (4); or

16 “(bb) if the information is
17 not complete, only needs to sub-
18 mit a reduced set of information
19 to the Secretary for the certifi-
20 cation of employment.

21 “(10) INELIGIBILITY.—

22 “(A) NO DOUBLE BENEFITS.—No bor-
23 rower may, for the same service, receive a re-
24 duction of loan obligations under both this sub-
25 section and section 428J, 428K, 428L, or 460.

1 “(B) FEDERAL ELECTED SERVICE EX-
 2 CLUDED.—No borrower may receive loan for-
 3 giveness under this subsection for service as a
 4 Member of Congress or President or Vice Presi-
 5 dent of the United States.”.

6 (2) FFEL PROGRAM AMENDMENTS.—Part B of
 7 the Higher Education Act of 1965 (20 U.S.C. 1071
 8 et seq.) is amended—

9 (A) in section 428 (20 U.S.C. 1078), by
 10 adding at the end the following:

11 “(p) REPAYMENT HISTORY INFORMATION AND PUB-
 12 LIC SERVICE LOAN FORGIVENESS INFORMATION.—A
 13 guaranty agency shall—

14 “(1) provide, in a timely manner, any necessary
 15 borrower repayment history information that the
 16 Secretary requests in order to determine the bor-
 17 rower’s eligibility for the public service loan forgive-
 18 ness program under section 455(m), or the number
 19 of qualifying monthly payment obligations satisfied
 20 for purposes of the program, including such infor-
 21 mation from all servicers involved in servicing the
 22 borrower’s loan; and

23 “(2) carry out the requirements of section
 24 455(m)(7) upon receiving any verbal or written con-
 25 tact by a borrower on or after July 1, 2019, express-

1 ing interest in the public service loan forgiveness
2 program under section 455(m).”; and

3 (B) in section 433 (20 U.S.C. 1083)—

4 (i) by redesignating subsection (f) as
5 subsection (g); and

6 (ii) by inserting after subsection (e)
7 the following:

8 “(f) REPAYMENT HISTORY INFORMATION.—An eligi-
9 ble lender shall—

10 “(1) provide, in a timely manner, any necessary
11 borrower repayment history information that the
12 Secretary requests in order to determine the bor-
13 rower’s eligibility for the public service loan forgive-
14 ness program under section 455(m), or the number
15 of qualifying monthly payment obligations satisfied
16 for purposes of the public service loan forgiveness
17 program under section 455(m), including such infor-
18 mation from all servicers involved in servicing the
19 borrower’s loan; and

20 “(2) carry out the requirements of section
21 455(m)(7) upon receiving any verbal or written con-
22 tact by a borrower on or after July 1, 2019, express-
23 ing interest in the public service loan forgiveness
24 program under section 455(m).”.

1 (b) NOTIFICATION TO DIRECT LOAN BORROWERS
 2 REGARDING ALL OPTIONS FOR LOAN FORGIVENESS.—
 3 Section 455 of the Higher Education Act of 1965 (20
 4 U.S.C. 1087e) is amended by adding at the end the fol-
 5 lowing:

6 “(r) ANNUAL NOTICE REGARDING LOAN FORGIVE-
 7 NESS OPTIONS.—

8 “(1) IN GENERAL.—The Secretary shall annu-
 9 ally provide a written or electronic disclosure to each
 10 borrower of a loan under this part—

11 “(A) notifying the borrower—

12 “(i) of any loan forgiveness option
 13 available under this title that might apply
 14 to a loan under this part held by the bor-
 15 rower, including the public service loan for-
 16 giveness program under subsection (m);
 17 and

18 “(ii) in the case of a borrower who is
 19 a full-time employee of a Federal agency
 20 and has not expressed interest in or sub-
 21 mitted a certification of employment for
 22 the public service loan forgiveness pro-
 23 gram—

24 “(I) that the borrower is em-
 25 ployed by a qualifying employer;

1 “(II) the number of payment ob-
2 ligations satisfied by the borrower
3 that the Secretary has determined
4 could be qualifying monthly payment
5 obligations on eligible Federal Direct
6 Loan for purposes of the public serv-
7 ice loan forgiveness program; and

8 “(III) the steps necessary for the
9 borrower to submit a certification of
10 employment and to obtain forgiveness
11 under subsection (m)(2);

12 “(B) informing the borrower that the loan
13 forgiveness options described in subparagraph
14 (A) are provided free of charge; and

15 “(C) including, for each loan forgiveness
16 option, information regarding how the borrower
17 should proceed, including contact information,
18 if the borrower wishes to pursue such loan for-
19 giveness option.

20 “(2) EXCLUSIONS.—Notwithstanding para-
21 graph (1), the Secretary shall not provide a notifica-
22 tion under this subsection to a borrower of a loan
23 under this part if—

24 “(A) the borrower is also receiving a notifi-
25 cation under subsection (m)(7); or

1 “(B) the borrower has requested that the
2 Secretary no longer provide the notifications
3 under this subsection.”.

4 (c) EFFECTIVE DATE.—The amendments made by
5 this section shall take effect on July 1, 2019.

6 **SEC. 3. TRANSITION TO IMPROVED PUBLIC SERVICE LOAN**
7 **FORGIVENESS PROGRAM.**

8 (a) REVIEW OF BORROWERS CURRENTLY PARTICI-
9 PATING IN PUBLIC SERVICE LOAN FORGIVENESS.—

10 (1) CALCULATING THE NUMBER OF QUALI-
11 FYING PAYMENT OBLIGATIONS FOR CURRENT PUB-
12 LIC SERVICE LOAN FORGIVENESS PROGRAM PARTICI-
13 PANTS.—By not later than July 1, 2019, the Sec-
14 retary shall, for each borrower that has submitted a
15 certification of employment under the public service
16 loan forgiveness program under section 455(m) of
17 the Higher Education Act of 1965 (20 U.S.C.
18 1087e) before July 1, 2019—

19 (A) calculate the number of qualifying pay-
20 ment obligations under such section satisfied by
21 the borrower, using the criteria of such section
22 as in effect on July 1, 2019; and

23 (B) inform the borrower of the changes in
24 the public service loan forgiveness program and
25 the number of qualifying payment obligations

1 that the borrower will have satisfied for pur-
2 poses of the program, beginning on July 1,
3 2019.

4 (2) RETROACTIVE PARTIAL LOAN FORGIVE-
5 NESS.—By not later than July 1, 2019, the Sec-
6 retary shall take such steps as are necessary to pro-
7 vide partial loan forgiveness under section
8 455(m)(3)(A)(i) of the Higher Education Act of
9 1965 (20 U.S.C. 1087e(m)(3)(A)(i)), as in effect on
10 such date, to borrowers with outstanding balance of
11 principal and interest on a loan made under this
12 part who met the criteria for partial loan forgiveness
13 under such section, as in effect on July 1, 2019, be-
14 fore such date but on or after October 1, 2007.

15 (3) APPLICABILITY OF OTHER PROVISIONS.—In
16 carrying out paragraphs (1) and (2), and in any
17 other case where the Secretary is applying the loan
18 forgiveness provisions of section 455(m) of the High-
19 er Education Act of 1965 (20 U.S.C. 1087e(m)), as
20 in effect on July 1, 2019, to a borrower for whom
21 one or more payment obligations were satisfied be-
22 fore July 1, 2019, the Secretary shall determine the
23 number of payment obligations satisfied by applying
24 all of the provisions of such section as in effect on
25 July 1, 2019, including the calculation of payment

obligations under section 455(m)(5) of such Act and the inclusion of payment obligations satisfied through the component loans of a Federal Direct Consolidation Loan under section 455(m)(6), without regard as to the date on which the payment obligation was satisfied.

(b) SPECIAL PSLF PROGRAM FUNDS.—

(1) DEFINITION OF SPECIAL PSLF PROGRAM FUNDS.—In this section, the term “special PSLF program funds” means the amounts appropriated for public service loan forgiveness under section 315 of division H of the Consolidated Appropriations Act, 2018 (Public Law 115–141; March 23, 2018) or under section 313 of division B of the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019 (Public Law 115–245; September 28, 2018).

(2) RESCISSION.—Upon the effective date described in section 2(c), all special PSLF program funds that remain unexpended on such date shall be rescinded.

(3) TRANSITION.—The Secretary of Education shall establish a process through which the Secretary shall—

1 (A) review the applications of borrowers
2 who applied for the loan forgiveness program
3 carried out with special PSLF program funds
4 but had not received loan forgiveness through
5 such program before July 1, 2019; and

6 (B) assist such borrowers in pursuing loan
7 forgiveness under section 455(m) of the Higher
8 Education Act of 1965 (20 U.S.C. 1087e(m)),
9 as in effect on July 1, 2019.

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