

116TH CONGRESS  
1ST SESSION

# H. R. 4391

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

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2019

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

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## A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Public Service Loan  
5 Forgiveness Modernization Act” or the “PSLF Mod-  
6 ernization Act”.

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

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

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

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

9 “(3) PROGRAM MODERNIZATION.—

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

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

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

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

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

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

3           “(B) EMPLOYER SELF-CERTIFICATION.—

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

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

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

23           “(C) CERTIFICATION OF EMPLOYMENT.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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