

114TH CONGRESS
2D SESSION

H. R. 4661

To amend the Higher Education Act of 1965 to include Parent PLUS loans in income-contingent and income-based repayment plans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2016

Ms. FUDGE (for herself, Mr. HINOJOSA, Ms. BROWN of Florida, Ms. PLASKETT, Ms. WILSON of Florida, Mr. VEASEY, Mr. THOMPSON of California, Mr. RICHMOND, Mr. COURTNEY, and Mr. TAKANO) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Higher Education Act of 1965 to include Parent PLUS loans in income-contingent and income-based repayment plans, 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 “Parent PLUS Loan
5 Improvement Act of 2016”.

6 **SEC. 2. APPLICABLE RATE OF INTEREST FOR PLUS LOANS.**

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

(1) in subparagraph (C), by inserting “and before July 1, 2016,” after “, 2013,”; and

(2) by adding at the end the following:

“(F) REDUCED RATE FOR PARENT PLUS LOANS.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct PLUS Loans made on behalf of a dependent student for which the first disbursement is made on or after July 1, 2016, the applicable rate of interest shall be determined under subparagraph (C) of this paragraph—

“(i) by substituting ‘3.6 percent’ for ‘4.6 percent’; and

“(ii) by substituting ‘9.5 percent’ for ‘10.5 percent’.”.

SEC. 3. ELIMINATION OF ORIGINATION FEE FOR PARENT PLUS LOANS.

Section 455(c) of the Higher Education Act of 1965 (20 U.S.C. 1087e(c)) is amended by adding at the end the following new paragraph:

“(3) PLUS LOANS.—With respect to Federal Direct PLUS loans made on behalf of a dependent student for which the first disbursement of principal is made on or after July 1, 2016, paragraph (1)

1 shall be applied by substituting ‘0.0 percent’ for ‘4.0
2 percent’.”.

3 **SEC. 4. COUNSELING FOR PARENT PLUS BORROWERS.**

4 Section 485 of the Higher Education Act of 1965 (20
5 U.S.C. 1092) is amended by adding at the end the fol-
6 lowing:

7 “(n) COUNSELING FOR PARENT PLUS BOR-
8 ROWERS.—

9 “(1) IN GENERAL.—The Secretary, prior to dis-
10 bursement of a Federal Direct PLUS loan made on
11 behalf of a dependent student, shall ensure that the
12 borrower receives comprehensive information on the
13 terms and conditions of the loan and the responsibil-
14 ities the borrower has with respect to such loan.
15 Such information—

16 “(A) shall be provided through the use of
17 interactive programs that use mechanisms to
18 check the borrower’s understanding of the
19 terms and conditions of the borrower’s loan,
20 using simple and understandable language and
21 clear formatting; and

22 “(B) shall be provided—

23 “(i) during a counseling session con-
24 ducted in person; or

25 “(ii) online.

1 “(2) INFORMATION TO BE PROVIDED.—The in-
2 formation to be provided to the borrower under
3 paragraph (1) shall include the following:

4 “(A) Information on how interest accrues
5 and is capitalized during periods when the in-
6 terest is not paid by the borrower.

7 “(B) An explanation of when loan repay-
8 ment begins, of the options available for a bor-
9 rower who may need a deferment, and that in-
10 terest accrues during a deferment.

11 “(C) The repayment plans that are avail-
12 able to the borrower, including personalized in-
13 formation showing—

14 “(i) estimates of the borrower’s antici-
15 pated monthly payments under each repay-
16 ment plan that is available; and

17 “(ii) the difference in interest paid
18 and total payments under each repayment
19 plan.

20 “(D) The obligation of the borrower to
21 repay the full amount of the loan, regardless of
22 whether the student on whose behalf the loan
23 was made completes the program in which the
24 student is enrolled.

1 “(E) The likely consequences of default on
 2 the loan, including adverse credit reports, delin-
 3 quent debt collection procedures under Federal
 4 law, and litigation.

5 “(F) The name and contact information of
 6 the individual the borrower may contact if the
 7 borrower has any questions about the bor-
 8 rower’s rights and responsibilities or the terms
 9 and conditions of the loan.”.

10 **SEC. 5. INCLUSION OF PARENT PLUS LOANS IN INCOME-**
 11 **CONTINGENT AND INCOME-BASED REPAY-**
 12 **MENT PLANS.**

13 (a) INCOME-CONTINGENT REPAYMENT PLAN.—Sec-
 14 tion 455(d)(1)(D) of the Higher Education Act of 1965
 15 (20 U.S.C. 1087e(d)(1)(D)) is amended by striking “, ex-
 16 cept that the plan described in this subparagraph shall
 17 not be available to the borrower of a Federal Direct PLUS
 18 loan made on behalf of a dependent student;”.

19 (b) INCOME-BASED REPAYMENT.—

20 (1) SECTION 493C.—Section 493C of the High-
 21 er Education Act of 1965 (20 U.S.C. 1098e) is
 22 amended—

23 (A) in subsection (a)—

24 (i) by striking “this section” and all
 25 that follows through “hardship” and in-

serting “In this section, the term ‘partial financial hardship’”; and

(ii) by striking, “(other than an excepted PLUS loan or excepted consolidation loan)”;

(B) in subsection (b)—

(i) in paragraph (1), by striking “(other than an excepted PLUS loan or excepted consolidation loan)”;

(ii) in paragraph (6)(A), by striking “(other than an excepted PLUS loan or excepted consolidation loan)”;

(iii) in paragraph (7), by striking “(other than a loan under section 428B or a Federal Direct PLUS Loan)”;

(C) in subsection (c), by striking “(other than an excepted PLUS loan or excepted consolidation loan),”.

(2) SECTION 455(d)(1)(E).—Section 455(d)(1)(E) of such Act (20 U.S.C. 1087e(d)(1)(D)) is amended by striking “, except that the plan described in this subparagraph shall not be available to the borrower of a Federal Direct PLUS Loan made on behalf of a dependent student or a Federal Direct Consolidation Loan, if the pro-

1 ceeds of such loan were used to discharge the liabil-
2 ity on such Federal Direct PLUS Loan or a loan
3 under section 428B made on behalf of a dependent
4 student”.

5 (c) APPLICATION TO REGULATIONS.—The Secretary
6 shall ensure that any Federal Direct PLUS Loan and any
7 loan under section 428B of the Higher Education Act of
8 1965 (20 U.S.C. 1078–2) made on behalf of a dependent
9 student are eligible for any repayment plan available
10 under the Higher Education Act of 1965 (20 U.S.C. 1001
11 et seq.) or regulations authorized under such Act (20
12 U.S.C. 1001 et seq.)

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