

115TH CONGRESS
2D SESSION

S. 3124

To amend the Higher Education Act of 1965 to provide for no accrual of interest on Federal Direct Loans for individuals employed in public service.

IN THE SENATE OF THE UNITED STATES

JUNE 25, 2018

Ms. HEITKAMP (for herself and Mr. TESTER) 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 to provide for no accrual of interest on Federal Direct Loans for individuals employed in public service.

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 “Help Encourage a
5 Lifetime of Public Service Act”.

6 **SEC. 2. INTEREST WAIVER FOR INDIVIDUALS EMPLOYED IN** 7 **PUBLIC SERVICE.**

8 (a) IN GENERAL.—Section 455 of the Higher Edu-
9 cation Act of 1965 (20 U.S.C. 1087e) is amended—

(1) by redesignating subsections (n), (o), (p), and (q), as subsections (o), (p), (q), and (r), respectively;

(2) in subsection (m)(3)—

(A) in subparagraph (B)—

(i) in clause (i), by striking “or” after the semicolon;

(ii) in clause (ii), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

“(iii) volunteer work as a qualified volunteer first responder (as defined in subsection (n)(7)); or

“(iv) a full-time job as an employee or manager of a qualified farm or ranch.”; and

(B) by adding at the end the following:

“(C) QUALIFIED FARM OR RANCH.—The term ‘qualified farm or ranch’ means, with respect to a year, a farm or ranch whose earnings of gross revenue during the year from the sale of agricultural products are equal to or greater than—

1 “(i) in the case of 2019, \$35,000; or

2 “(ii) in the case of any succeeding
3 year, the amount applicable under this
4 subparagraph for the previous year in-
5 creased by the estimated percentage
6 change in the Consumer Price Index (as
7 determined by the Secretary, using the def-
8 inition in section 478(f)) for the most re-
9 cent year preceding such year.”; and

10 (3) by inserting after subsection (m) the fol-
11 lowing:

12 “(n) INTEREST WAIVER FOR INDIVIDUALS EM-
13 PLOYED IN PUBLIC SERVICE.—

14 “(1) IN GENERAL.—Notwithstanding any other
15 provision of this part, interest shall not accrue for
16 an eligible public servant on a loan made under this
17 part for which the first disbursement is made on or
18 after the date of enactment of the Help Encourage
19 a Lifetime of Public Service Act.

20 “(2) CONSOLIDATION LOANS.—In the case of
21 any consolidation loan made under this part that is
22 disbursed on or after the date of enactment of the
23 Help Encourage a Lifetime of Public Service Act, in-
24 terest shall not accrue pursuant to this subsection
25 only on such portion of such loan as was used to

1 repay a loan made under this part for which the
2 first disbursement is made on or after the date of
3 enactment of the Help Encourage a Lifetime of
4 Public Service Act.

5 “(3) ANNUAL CERTIFICATION.—Not later than
6 120 days after the date of enactment of the Help
7 Encourage a Lifetime of Public Service Act, the Sec-
8 retary shall—

9 “(A) prescribe regulations that require an
10 eligible public servant to annually certify
11 through an employment certification form the
12 individual’s employment in a public service job
13 in order to receive the interest waiver described
14 in paragraph (1); and

15 “(B) to the maximum extent practicable,
16 streamline the process described in subpara-
17 graph (A) with the process borrowers use to
18 certify employment to qualify for loan cancella-
19 tion under subsection (m).

20 “(4) ALIGNMENT OF DEADLINES.—In carrying
21 out this subsection, the Secretary shall, to the max-
22 imum extent practicable, align the borrower’s dead-
23 line for annual employment certification under this
24 subsection with the deadline for participation under
25 the income contingent repayment plans or income-

1 based repayment plans to reduce the burden on the
2 borrower.

3 “(5) REGULATIONS.—The Secretary shall pro-
4 mulgate, after consultation with public safety orga-
5 nizations, regulations to carry out this subsection,
6 including regulations relating to—

7 “(A) the minimum volunteer time required
8 for a qualified volunteer first responder to be
9 treated as an individual employed in a full-time
10 job for purposes of this subsection; and

11 “(B) the process of tracking and verifying
12 that volunteer time.

13 “(6) ENGAGEMENT OF PUBLIC SAFETY ORGANI-
14 ZATIONS.—The Secretary shall develop a plan re-
15 garding how the Department will—

16 “(A) disseminate information and raise
17 awareness about eligibility for qualified volun-
18 teer first responders for the interest waiver
19 under this subsection; and

20 “(B) engage qualified volunteer first re-
21 sponders and public safety organizations in the
22 process of tracking and verifying volunteer
23 hours for purposes of this subsection.

24 “(7) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE PUBLIC SERVANT.—The term ‘eligible public servant’ means an individual who—

“(i) is employed in a public service job;

“(ii) is a qualified volunteer first responder; or

“(iii) has a full-time job as an employee or manager of a qualified farm or ranch (as defined in subsection (m)(3)(C)).

“(B) PUBLIC SAFETY ORGANIZATION.—The term ‘public safety organization’ means any State, local, or tribal governmental agency or nonprofit organization that has the principal purpose of protecting the safety of life, health, or property.

“(C) PUBLIC SERVICE JOB.—The term ‘public service job’ has the meaning given the term in subsection (m)(3)(B).

“(D) QUALIFIED VOLUNTEER FIRST RESPONDER.—

“(i) IN GENERAL.—The term ‘qualified volunteer first responder’ means an individual who volunteers to perform services on not less than the basis determined by

the Secretary under clause (ii) for a public safety organization (which may include firefighters, law enforcement officers, emergency medical personnel, or other first responders to emergencies) and is certified as a firefighter, law enforcement officer, emergency medical services provider, or other responder in the State, unit of general local government, Indian tribe, or non-profit organization in which the individual serves and receives no compensation for such service or is paid expenses, reasonable benefits, or a nominal fee to perform the services.

“(ii) FULL-TIME EMPLOYMENT FOR VOLUNTEER FIRST RESPONDERS.—The Secretary shall—

“(I) determine the minimum volunteer time required for a qualified volunteer first responder to be treated as an individual employed in a full-time job for purposes of this subsection and subsection (m); and

“(II) ensure that such minimum volunteer time is not less than the

1 amount of volunteer time that is re-
2 quired for the qualified volunteer first
3 responder to be considered an active
4 member of the relevant public safety
5 organization.”.

6 (b) CONFORMING AMENDMENTS.—Section 428C of
7 the Higher Education Act of 1965 (20 U.S.C. 1078–3)
8 is amended—

9 (1) in subsection (a)(3)(B)(i)(V)(cc), by strik-
10 ing “section 455(o)” and inserting “section 455(p)”;
11 and

12 (2) in subsection (b)(5), by striking “section
13 455(o)” and inserting “section 455(p)”.

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