

116TH CONGRESS
1ST SESSION

H. R. 4079

To simplify and improve the Federal student loan program through income-contingent repayment to provide stronger protections for borrowers, encourage responsible borrowing, and save money for taxpayers.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2019

Mr. ZELDIN introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committee on Ways and Means, 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 simplify and improve the Federal student loan program through income-contingent repayment to provide stronger protections for borrowers, encourage responsible borrowing, and save money for taxpayers.

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 “Earnings Contingent
5 Education Loans Act of 2019” or the “ExCEL Act of
6 2019”.

1 **SEC. 2. TERMINATION OF AUTHORITY TO MAKE FEDERAL**
2 **DIRECT STAFFORD LOANS, FEDERAL DIRECT**
3 **UNSUBSIDIZED STAFFORD LOANS, AND FED-**
4 **ERAL DIRECT PLUS LOANS TO STUDENTS**
5 **UNDER THE WILLIAM D. FORD FEDERAL DI-**
6 **RECT LOAN PROGRAM.**

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

10 “(4) TERMINATION OF AUTHORITY TO MAKE
11 FEDERAL DIRECT STAFFORD LOANS, FEDERAL DI-
12 RECT UNSUBSIDIZED STAFFORD LOANS, AND FED-
13 ERAL DIRECT PLUS LOANS TO STUDENTS UNDER
14 THIS PART.—

15 “(A) IN GENERAL.—Notwithstanding any
16 provision of this part or part B, for any period
17 of instruction beginning on or after July 1,
18 2019—

19 “(i) a student shall not be eligible to
20 receive a Federal Direct Stafford Loan
21 under this part; and

22 “(ii) a student shall not be eligible to
23 receive a Federal Direct Unsubsidized
24 Stafford Loan or Federal Direct PLUS
25 Loan under this part, except as provided in
26 subparagraph (B).

1 “(B) EXCEPTIONS.—Subparagraph (A)(ii)
2 shall not be applicable with respect to the fol-
3 lowing:

4 “(i) EXISTING STUDENT BOR-
5 ROWERS.—A student who, as of July 1,
6 2019, has an outstanding balance of prin-
7 cipal or interest owing on any loan made,
8 insured, or guaranteed under part B or
9 this part may continue to be eligible to
10 borrow a loan under this part, except for
11 a Federal Direct Stafford Loan, in accord-
12 ance with subparagraph (C) until June 30,
13 2021.

14 “(ii) PARENT PLUS LOANS.—An ex-
15 cepted PLUS loan or excepted consolida-
16 tion loan (as such terms are defined in sec-
17 tion 493C(a)) under this part that is made
18 to a parent on behalf of an undergraduate
19 dependent student.

20 “(iii) FEDERAL DIRECT CONSOLIDA-
21 TION LOANS.—A Federal Direct Consolida-
22 tion Loan under this part.

23 “(C) MAXIMUM ANNUAL AMOUNTS OF
24 FEDERAL DIRECT UNSUBSIDIZED STAFFORD
25 LOANS.—The maximum annual amount of Fed-

eral Direct Unsubsidized Stafford Loans a student described in subparagraph (B)(i) may borrow in an academic year (as defined in section 481(a)(2)) or its equivalent shall be the maximum annual amount for such student determined under section 428H, plus an amount equal to the amount of Federal Direct Stafford Loans the student would have received in the absence of subparagraph (A)(i).”.

**SEC. 3. ESTABLISHMENT OF THE INCOME DEPENDENT
EDUCATION ASSISTANCE LOAN PROGRAM
AND THE IDEA LOAN REPAYMENT PROGRAM.**

Title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.) is amended by adding at the end the following new part:

**“PART J—INCOME DEPENDENT EDUCATION
ASSISTANCE LOANS
“Subpart 1—IDEA Loans**

“SEC. 499A. PROGRAM AUTHORITY AND AGREEMENTS.

“(a) PROGRAM AUTHORITY.—

“(1) IN GENERAL.—There are hereby made available, in accordance with the provisions of this part, such sums as may be necessary to make loans to all eligible students in attendance at participating institutions of higher education selected by the Sec-

1 retary, to enable such students to pursue their
2 courses of study at such institutions during the pe-
3 riod beginning July 1, 2019. Loans made under this
4 part shall be made by participating institutions, or
5 consortia thereof, that have agreements with the
6 Secretary to originate loans, or by alternative origi-
7 nators designated by the Secretary to make loans for
8 students in attendance at participating institutions.

9 “(2) DESIGNATION.—The program established
10 under this subpart shall be referred to as the ‘In-
11 come Dependent Education Assistance Loan Pro-
12 gram’, or the ‘IDEA Loan Program’.

13 “(b) FUNDS FOR THE ORIGINATION OF IDEA
14 LOANS.—The Secretary shall provide funds for student
15 loans under this part in the same manner as the Secretary
16 provides funds for the origination of Federal Direct Stu-
17 dent Loans under part D in accordance with section 452.
18 The requirements, rights, and limitations under section
19 452 with respect to the Secretary and institutions for
20 funds provided for loans under part D shall apply with
21 respect to the Secretary and institutions for funds pro-
22 vided for loans under this part, except that funds under
23 this part shall not be provided for parent loans.

1 “(c) SELECTION OF INSTITUTIONS FOR PARTICIPA-
2 TION AND ORIGINATION, AND AGREEMENTS WITH INSTI-
3 TUTIONS.—

4 “(1) SELECTION OF INSTITUTIONS FOR PAR-
5 TICIPATION AND ORIGINATION.—The Secretary shall
6 enter into agreements with institutions of higher
7 education to participate in the IDEA Loan Program
8 under this part and agreements with institutions of
9 higher education, or consortia thereof, to originate
10 loans in such program for academic years beginning
11 on or after July 1, 2019. The provisions of section
12 453 shall apply with respect to agreements under
13 this section. The Secretary shall provide alternative
14 origination services for loans under this part, as ap-
15 propriate, in a manner consistent with the provisions
16 of sections 453 and 456 related to alternative origi-
17 nation services for loans under part D.

18 “(2) PARTICIPATION AND ORIGINATION AGREE-
19 MENTS WITH INSTITUTIONS.—An agreement with
20 any institution of higher education for participation
21 in the IDEA Loan Program under this part, and an
22 agreement with any institution of higher education,
23 or consortia thereof, to originate loans in such pro-
24 gram, shall have the same terms as the terms re-
25 quired under section 454 for agreements with an in-

stitution for participation or origination, respectively, in the student loan program under part D, except that agreements for participation or origination under this part shall not apply to parent loans.

“(3) WITHDRAWAL AND TERMINATION PROCEDURES.—The Secretary shall establish procedures by which institutions or consortia may withdraw or be terminated from the program under this part.

“SEC. 499B. TERMS AND CONDITIONS OF IDEA LOANS.

“(a) PARALLEL TERMS, CONDITIONS, BENEFITS, AND AMOUNTS.—Unless otherwise specified in this part, Income Dependent Education Assistance Loans (hereinafter referred to as ‘IDEA Loans’) made to borrowers under this part shall have the same terms, conditions, and benefits, and be available in the same amounts, as Federal Direct Unsubsidized Stafford Loans made to borrowers under part D, and first disbursed on the day before the date of enactment of the Earnings Contingent Education Loans Act of 2019.

“(b) ELIGIBLE BORROWERS.—

“(1) IN GENERAL.—In addition to the requirements of section 484, to be eligible to receive a loan (other than an IDEA Consolidation Loan) under this part, a borrower—

“(A) shall be an individual who, on the date of application for such loan, has no outstanding balance of principal or interest owing on any loan made, insured, or guaranteed under part B or D (other than an excepted PLUS loan or an excepted consolidation loan (as such terms are defined in section 493C(a))); or

“(B) in the case of an individual with an outstanding balance of principal or interest owing on any loan described in subparagraph (A), shall consolidate all such existing loans into an IDEA Consolidation Loan under section 499C.

“(2) ONLY STUDENT BORROWERS ELIGIBLE.—

For purposes of this part, the term ‘borrower’ shall not include a parent borrower.

“(c) ANNUAL AND AGGREGATE LIMITS.—

“(1) IN GENERAL.—Subject to paragraph (2), the maximum annual amount of IDEA Loans in any academic year (as defined in section 481(a)(2)) or its equivalent, and the maximum aggregate amount of IDEA Loans that a student may borrow, shall be the maximum annual amounts and maximum aggregate amounts, respectively, of Federal Direct Unsubsidized Stafford Loans under part D that such stu-

1 dent would have been eligible to borrow in the ab-
2 sence of section 455(a)(4), as added by Earnings
3 Contingent Education Loans Act of 2019.

4 “(2) GRADUATE AND PROFESSIONAL STU-
5 DENTS.—In the case of a graduate or professional
6 student who would have been eligible to borrow a
7 Federal Direct PLUS Loan under part D in the ab-
8 sence of section 455(a)(4), as added by Earnings
9 Contingent Education Loans Act of 2019, the max-
10 imum annual amounts and maximum aggregate
11 amounts, respectively, of IDEA Loans that the stu-
12 dent may borrow as determined under paragraph (1)
13 for any academic year (as defined in section
14 481(a)(2)) or its equivalent, may be increased to an
15 amount equal to the maximum annual amounts and
16 maximum aggregate amounts, respectively, of Fed-
17 eral Direct PLUS Loans that such student would
18 have been eligible to borrow in the absence of such
19 section 455(a)(4).

20 “(d) LOAN FEE.—The Secretary shall charge the
21 borrower of a loan (other than an IDEA Consolidation
22 Loan) made under this part an origination fee. Such fee
23 shall be the sum of—

24 “(1) for the portion of the principal amount of
25 the loan that is equal to (or less than) the maximum

1 annual amount a student may borrow under sub-
2 section (c)(1), 1.0 percent of such portion of the
3 principal amount of the loan, plus

4 “(2) for the portion of the principal amount of
5 the loan that exceeds the maximum annual amount
6 a student may borrow under subsection (c)(1), as
7 authorized by subsection (c)(2), 4.0 percent of such
8 portion of the principal amount of the loan.

9 “(e) INTEREST RATES.—

10 “(1) IN GENERAL.—Except as provided in para-
11 graph (2), for IDEA Loans for which the first dis-
12 bursement is made on or after July 1, 2019, the ap-
13 plicable rate of interest shall, during any 12-month
14 period beginning on July 1 and ending on June 30,
15 be determined on the preceding June 1 and be equal
16 to—

17 “(A) the bond equivalent rate of 10-year
18 Treasury bills auctioned at the final auction
19 held prior to such June 1, plus

20 “(B) 3.0 percent.

21 “(2) CERTAIN GRADUATE AND PROFESSIONAL
22 STUDENTS.—Notwithstanding paragraph (1), with
23 respect to graduate or professional students who
24 have increased maximum annual and aggregate loan
25 limits under subsection (c)(2), for IDEA Loans for

1 which the first disbursement is made on or after
2 July 1, 2019, the applicable rate of interest shall be
3 the weighted average of—

4 “(A) the rate determined under paragraph
5 (1) for the portion of the principal amount of
6 the loan that is equal to (or less than) the max-
7 imum annual amount a student may borrow
8 under subsection (c)(1); and

9 “(B) the rate determined under paragraph
10 (1), except that ‘4.1 percent’ shall be sub-
11 stituted for ‘3.0 percent’ in such determination,
12 for the portion of the principal amount of the
13 loan that exceeds the maximum annual amount
14 a student may borrow under subsection (c)(1),
15 as authorized by subsection (c)(2).

16 “(3) CONSULTATION.—The Secretary shall de-
17 termine the applicable rate of interest under para-
18 graph (1) after consultation with the Secretary of
19 the Treasury and shall publish such rate in the Fed-
20 eral Register as soon as practicable after the date of
21 determination.

22 “(4) APPLICATION OF INTEREST RATE DURING
23 THE LIFE OF THE LOAN.—

24 “(A) FIXED RATE UNTIL CAP.—The appli-
25 cable rate of interest determined under para-

graph (1) or (2) for an IDEA Loan shall be fixed for the life of the loan, except that interest shall cease to accrue when the total amount of interest (both paid and unpaid) that has accrued during the borrower's grace and repayment periods equals 50 percent of the total amount of the loan (equal to the sum of the unpaid principal, interest, penalties, and fees due on the loan) as of first day of the borrower's grace period.

“(B) IN-SCHOOL DEFERMENT PERIOD.—

Interest shall accrue and be capitalized or paid by the borrower (but periodic installments of principal need not be paid) during the in-school deferment period with respect to an IDEA Loan. For the purposes of this part, the in-school deferment period with respect to an IDEA Loan is the first period during which the borrower is pursuing at least one-half the normal full-time academic workload (as determined by the institution) in the course of study for which the borrower received such loan and ending on the first day of the first month that begins after the borrower ceases to carry at least one-half the normal full-time academic workload

1 (as determined by the institution) in the course
2 of study.

3 “(C) GRACE AND REPAYMENT PERIODS.—

4 Interest that accrues during the borrower’s
5 grace period (for the purposes of this title, de-
6 fined as the period between the borrower’s in-
7 school deferment period and the borrower’s re-
8 payment period) and during the borrower’s re-
9 payment period shall not be capitalized.

10 “(f) ARMED FORCES STUDENT LOAN INTEREST
11 PAYMENT PROGRAM.—Using funds received by transfer to
12 the Secretary under section 2174 of title 10, United States
13 Code, for the payment of interest on a loan made under
14 this part to a member of the Armed Forces, the Secretary
15 shall pay the interest on the loan as due for a period not
16 in excess of 36 consecutive months. The Secretary may
17 not pay interest on such a loan out of any funds other
18 than funds that have been so transferred.

19 “(g) NO ACCRUAL OF INTEREST FOR ACTIVE DUTY
20 SERVICEMEMBERS.—

21 “(1) IN GENERAL.—Notwithstanding any other
22 provision of this part and in accordance with para-
23 graphs (2) and (4), interest shall not accrue for an
24 eligible military borrower on a loan made under this

1 part for which the first disbursement is made on or
2 after July 1, 2019.

3 “(2) IDEA CONSOLIDATION LOANS.—In the
4 case of any IDEA Consolidation loan made under
5 this part that is disbursed on or after July 1, 2019,
6 interest shall not accrue pursuant to this subsection
7 only on such portion of such loan as was used to
8 repay a loan made under part D for which the first
9 disbursement is made on or after October 1, 2008.

10 “(3) ELIGIBLE MILITARY BORROWER.—In this
11 subsection, the term eligible military borrower means
12 an individual who—

13 “(A)(i) is serving on active duty during a
14 war or other military operation or national
15 emergency; or

16 “(ii) is performing qualifying National
17 Guard duty during a war or other military op-
18 eration or national emergency; and

19 “(B) is serving in an area of hostilities in
20 which service qualifies for special pay under
21 section 310 of title 37, United States Code.

22 “(4) LIMITATION.—An individual who qualifies
23 as an eligible military borrower under this sub-
24 section may receive the benefit of this subsection for
25 not more than 60 months.

1 “(h) LOAN CANCELLATION AND DISCHARGE.—The
 2 Secretary shall discharge a borrower’s liability on a loan
 3 made under this part in accordance with subsections (a)
 4 and (c) of section 437.

5 “(i) NO PUBLIC SERVICE LOAN FORGIVENESS.—A
 6 loan made under this part shall not be eligible for the pub-
 7 lic service loan forgiveness program under section 455(m).

8 **“SEC. 499C. IDEA CONSOLIDATION LOANS.**

9 “(a) IDEA CONSOLIDATION LOANS.—

10 “(1) IN GENERAL.—Except as provided in this
 11 section, an IDEA Consolidation Loan under this sec-
 12 tion shall have the same terms, conditions, and bene-
 13 fits, as IDEA Loans under this part.

14 “(2) BORROWER AND LOAN ELIGIBILITY.—To
 15 be eligible to receive an IDEA Consolidation Loan
 16 under this section, a borrower—

17 “(A) shall—

18 “(i) meet the criteria described in sec-
 19 tion 428C(a)(3)(A); and

20 “(ii) in the case of a borrower de-
 21 scribed in section 499B(b)(1)(B), agree to
 22 consolidate into an IDEA Consolidation
 23 Loan all loans made to the borrower that
 24 are described in subparagraphs (A) and
 25 (C) of section 428C(a)(4) (other than an

1 excepted PLUS loan or an excepted con-
2 solidation loan (as such terms are defined
3 in section 493C(a));

4 “(B) may consolidate the loans described
5 in subparagraphs (B), (D), and (E) of section
6 428C(a)(4) into such IDEA Consolidation
7 Loan; and

8 “(C) may not consolidate an IDEA Loan
9 under section 499B into such IDEA Consolida-
10 tion Loan.

11 “(3) REQUIREMENTS FOR THE SECRETARY.—
12 In making IDEA Consolidation Loans under this
13 section, the Secretary—

14 “(A) shall ensure that—

15 “(i) each IDEA Consolidation Loan
16 will be made, notwithstanding any other
17 provision of this title limiting the annual or
18 aggregate principal amount for all loans
19 made to the borrower, in an amount which
20 is equal to the sum of the unpaid principal,
21 interest, penalties, and fees of all loans re-
22 ceived by the borrower which are selected
23 by the borrower for consolidation under
24 this section; and

1 “(ii) the proceeds of each IDEA Con-
2 solidation Loan will be paid by the Sec-
3 retary to the holder or holders of the loans
4 being consolidated to discharge the liability
5 on such loans;

6 “(B) shall not discriminate against any
7 borrower seeking such an IDEA Consolidation
8 Loan—

9 “(i) based on the number or type of
10 loans the borrower seeks to consolidate;

11 “(ii) based on the interest rate to be
12 charged to the borrower with respect to the
13 consolidation loan; or

14 “(iii) based on the type or category of
15 institution of higher education that the
16 borrower attends or attended; and

17 “(C) shall disclose to a prospective bor-
18 rower, in simple and understandable terms, at
19 the time the Secretary provides an application
20 for an IDEA Consolidation Loan—

21 “(i) whether consolidation would re-
22 sult in a loss of loan benefits under part
23 B or part D, including loan forgiveness,
24 cancellation, and deferment;

1 “(ii) with respect to Federal Perkins
2 Loans under part E—

3 “(I) that if a borrower includes a
4 Federal Perkins Loan under part E in
5 the consolidation loan, the borrower
6 will lose all interest-free periods that
7 would have been available for the Fed-
8 eral Perkins Loan, including—

9 “(aa) the periods during
10 which no interest accrues on such
11 loan while the borrower is en-
12 rolled in school at least half-time;

13 “(bb) the grace period under
14 section 464(c)(1)(A); and

15 “(cc) the periods during
16 which the borrower’s student
17 loan repayments are deferred
18 under section 464(c)(2);

19 “(II) that if a borrower includes
20 a Federal Perkins Loan in the con-
21 solidation loan, the borrower will no
22 longer be eligible for cancellation of
23 part or all of the Federal Perkins
24 Loan under section 465(a); and

1 “(III) the occupations listed in
2 section 465 that qualify for Federal
3 Perkins Loan cancellation under sec-
4 tion 465(a);

5 “(iii) the options of the borrower to
6 prepay the IDEA Consolidation Loan;

7 “(iv) the consequences of default on
8 the IDEA Consolidation Loan; and

9 “(v) that by applying for an IDEA
10 Consolidation Loan, the borrower is not
11 obligated to agree to take the consolidation
12 loan.

13 “(b) INTEREST RATE.—

14 “(1) IN GENERAL.—Notwithstanding section
15 499B(e), an IDEA Consolidation Loan for which the
16 application is received on or after July 1, 2019, shall
17 bear interest at an annual rate on the unpaid prin-
18 cipal balance of the loan that is equal to the weight-
19 ed average of the interest rates on the loans consoli-
20 dated, rounded to the nearest higher one-eighth of
21 one percent. Interest that accrues on such an IDEA
22 Consolidation Loan shall not be capitalized.

23 “(2) APPLICATION OF INTEREST RATE DURING
24 THE LIFE OF THE LOAN.—The applicable rate of in-
25 terest determined under paragraph (1) shall be fixed

1 for the life of the IDEA Consolidation Loan, except
 2 that interest shall cease to accrue when the total
 3 amount of interest (both paid and unpaid) that has
 4 accrued on such Loan equals 50 percent of the total
 5 amount of the loans consolidated (as calculated on
 6 the date such Consolidation Loan is made, and equal
 7 to the sum of the unpaid principal, interest, pen-
 8 alties, and fees of all loans received by the borrower
 9 which are selected by the borrower for consolidation
 10 under this section).

11 **“Subpart 2—IDEA Loan Repayment Program**

12 **“CHAPTER 1—ESTABLISHMENT OF THE**
 13 **IDEA LOAN REPAYMENT PROGRAM**

14 **“SEC. 499D. DUTIES OF THE SECRETARY OF THE TREAS-**
 15 **URY.**

16 “(a) IN GENERAL.—The Secretary of the Treasury,
 17 in consultation with the Secretary of Education, shall es-
 18 tablish a program (hereinafter referred to as the ‘IDEA
 19 Loan Repayment Program’) that provides for—

20 “(1) repaying loans under this part through vol-
 21 untary wage withholding and quarterly estimated
 22 payments as provided in subsection (b); and

23 “(2) transmitting to the Secretary of Edu-
 24 cation—

1 “(A) an account of the amounts collected
2 under subsection (b) with respect to each indi-
3 vidual for whom a loan made under this part is
4 in repayment status; and

5 “(B) such tax return information of each
6 such individual as is necessary to determine the
7 individual’s income-based repayment obligation
8 as provided in subsection (c).

9 “(b) WAGE WITHHOLDING AND ESTIMATED PAY-
10 MENTS.—

11 “(1) IN GENERAL.—The Secretary of the
12 Treasury shall, under rules similar to the rules of
13 chapter 24 of the Internal Revenue Code of 1986,
14 provide for employers making payment of wages to
15 deduct and withhold upon such wages amounts de-
16 termined in accordance with tables or computational
17 procedures prescribed by the Secretary with respect
18 to an employee who elects withholding under this
19 subsection with respect to a loan made under this
20 part that is in repayment status and, if so elected,
21 with respect to any such loans of the employee’s
22 spouse.

23 “(2) WITHHOLDING REQUIREMENTS.—The ta-
24 bles, procedures, and guidance prescribed under
25 paragraph (1) shall provide—

1 “(A) for the election to have amounts with-
2 held as provided under this subsection;

3 “(B) procedures and forms for an em-
4 ployee to indicate—

5 “(i) whether the employee (and, in the
6 case of a married individual, whether the
7 employee’s spouse) has a loan made under
8 this part that is in repayment status;

9 “(ii) in the case of a married indi-
10 vidual, whether the employee anticipates
11 filing jointly (and accompanying guidance
12 explaining that if filing status for the tax-
13 able year is uncertain the employee should
14 indicate filing jointly to avoid underwith-
15 holding);

16 “(iii) whether the exemption amount
17 to which the employee is entitled under
18 this section should be taken into account
19 in determining withholding (and accom-
20 panying guidance explaining that, in order
21 to avoid underwithholding, the employee
22 should only take into account the exemp-
23 tion in the case of the employee’s primary
24 employer, unless total wages from more

1 than one place of employment will not ex-
2 ceed the exemption amount);

3 “(iv) in the case of a married indi-
4 vidual, whether the exemption amount to
5 which the employee’s spouse is entitled
6 under this section should be taken into ac-
7 count in determining withholding from the
8 wages of the employee (and accompanying
9 guidance explaining that, in order to avoid
10 underwithholding, the employee should
11 only take into account such exemption if
12 such spouse is not employed, or if the total
13 wages from the employee’s job and the
14 spouse’s employment will not exceed the
15 exemption amount);

16 “(v) the number of dependents of the
17 employee with respect to whom the em-
18 ployee is entitled to a deduction under sec-
19 tion 151(c) of the Internal Revenue Code
20 of 1986, and, if a different number, in the
21 case of a married employee, the number of
22 dependents of the employee’s spouse with
23 respect to whom such spouse is entitled to
24 such deduction; and

1 “(vi) an election to have additional
2 amounts withheld; and

3 “(C) for withholding with respect to any
4 employee in an amount equal to the sum of—

5 “(i) in the case of an employee who
6 has a loan made under this part in repay-
7 ment status, the percentage of so much of
8 the employee’s wages that would count to-
9 wards the employee’s income-based repay-
10 ment obligation provided in subsection (c)
11 as exceeds any exemption amount taken
12 into account with respect to the employee
13 under subparagraph (A)(iii) (prorated to
14 the payroll period), plus

15 “(ii) in the case of an employee who
16 indicates that the employee’s spouse has a
17 loan made under this part in repayment
18 status, the percentage of so much of the
19 employee’s wages that would count towards
20 the employee’s spouse’s income-based re-
21 payment obligation (as provided in sub-
22 section (c)) as exceeds any exemption
23 amount taken into account with respect to
24 the employee’s spouse under subparagraph
25 (A)(iv) (prorated to the payroll period).

1 “(3) QUARTERLY ESTIMATED TAX PAY-
2 MENTS.—In the case of taxpayers who make quar-
3 terly estimated tax return payments under section
4 6654 of the Internal Revenue Code of 1986 and who
5 have a loan made under this part in repayment sta-
6 tus, the Secretary shall provide similar tables and
7 procedures for making voluntary repayments of
8 loans made under this part concurrently with such
9 quarterly payments.

10 “(4) COLLECTION AND PAYMENT.—The
11 amounts required to be deducted and withheld under
12 paragraph (1), and amounts required to be paid
13 under paragraph (3), shall be collected by the Sec-
14 retary of the Treasury and shall be paid into the
15 general fund of the Treasury of the United States.

16 “(c) DETERMINATION OF INCOME-BASED REPAY-
17 MENT OBLIGATION.—

18 “(1) IN GENERAL.—As soon as practicable
19 after an individual for whom a loan made under this
20 part is in repayment status during the taxable year
21 files an income tax return for such taxable year, the
22 Secretary of the Treasury shall transmit to the Sec-
23 retary of Education such tax information as is nec-
24 essary to determine—

1 “(A) the amount deducted and withheld
 2 under subsection (b)(1), and the amount paid
 3 under subsection (b)(3), for the taxable year
 4 with respect to such individual; and

5 “(B) the income-based repayment obliga-
 6 tion for the taxable year for such individual.

7 “(2) INCOME-BASED REPAYMENT OBLIGA-
 8 TION.—For purposes of this section:

9 “(A) IN GENERAL.—The income-based re-
 10 payment obligation with respect to an individual
 11 for any taxable year is an amount equal to 15
 12 percent of the excess of—

13 “(i) the sum of—

14 “(I) the wages, salaries, tips, and
 15 other employee compensation of the
 16 taxpayer, but only if such amounts
 17 are includible in gross income for the
 18 taxable year (determined without re-
 19 gard to section 911, 931, or 933),

20 “(II) the amount of the tax-
 21 payer’s net earnings from self-employ-
 22 ment for the taxable year (within the
 23 meaning of section 1402(a)), deter-
 24 mined with regard to the deduction al-

1 lowed to the taxpayer by section
2 164(f), plus

3 “(III) any other amount included
4 in total income of the taxpayer for the
5 taxable year but not described in sub-
6 clause (I) or (II), over

7 “(ii) the sum of—

8 “(I) the exemption amount with
9 respect to such individual, plus

10 “(II) the lesser of the amount de-
11 termined with respect to the taxpayer
12 under subclauses (II) and (III) of
13 clause (i), or \$3,000.

14 “(B) SPECIAL RULES FOR MARRIED INDI-
15 VIDUALS.—

16 “(i) EACH SPOUSE WITH LOAN.—Ex-
17 cept as provided in clause (ii), in the case
18 of a joint return of two individuals who
19 each have a loan made under this part in
20 repayment status, the income-based repay-
21 ment obligation with respect to each
22 spouse shall be an amount determined
23 under subparagraph (A) by apportioning
24 $\frac{1}{2}$ of the total income on such return to
25 each spouse.

1 “(ii) SPECIAL RULE FOR FIRST YEAR
2 OF MARRIAGE.—In the case of the first
3 taxable year for which any two individuals
4 make a joint return, the income-based re-
5 payment obligation with respect to such an
6 individual shall be an amount equal to the
7 lesser of—

8 “(I) the amount determined with
9 respect to such individual under this
10 paragraph (determined without regard
11 to this clause), or

12 “(II) the amount determined
13 with respect to such individual under
14 this paragraph (determined by allo-
15 cating to each spouse the amounts de-
16 scribed in subclauses (I) and (II) of
17 subparagraph (A)(i) in proportion to
18 the amounts attributable to each
19 spouse, by allocating $\frac{1}{2}$ of the amount
20 described in subparagraph (A)(i)(III)
21 to each spouse, and without regard to
22 clause (i)).

23 “(C) EXCLUSION OF CERTAIN AMOUNTS
24 PAID ON BEHALF OF INDIVIDUAL.—Any
25 amount paid on the borrower’s behalf under

1 section 499E(5) shall not be taken into account
2 in determining such borrower's income-based
3 repayment obligation.

4 “(3) EXEMPTION AMOUNT.—For purposes of
5 this section:

6 “(A) IN GENERAL.—Except as provided in
7 subparagraph (B), the exemption amount with
8 respect to an individual shall be an amount
9 equal to 150 percent of the poverty line for the
10 individual's household size (as determined
11 under section 673(2) of the Community Serv-
12 ices Block Grant Act (42 U.S.C. 9902(2))) for
13 the calendar year in which the taxable year
14 ends.

15 “(B) SPECIAL RULE FOR MARRIED INDIVIDUALS WHO BOTH HAVE LOANS MADE UNDER
16 THIS PART.—If for any taxable year an indi-
17 vidual is married, files a joint return, and has
18 a spouse with a loan made under this part in
19 repayment status, then the exemption amount
20 with respect to such individual shall be an
21 amount equal to the sum of—

22 “(i) 150 percent of the poverty line
23 for a household size of one (as determined
24 under section 673(2) of the Community
25

Services Block Grant Act (42 U.S.C. 9902(2))) for the calendar year in which the taxable year ends, and

“(ii) $\frac{1}{2}$ of the excess of—

“(I) 150 percent of the poverty line for the individual’s household size minus 1 (as determined under section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) for the calendar year in which the taxable year ends, over

“(II) the amount determined under clause (i).

“(C) HOUSEHOLD SIZE.—For purposes of this paragraph, an individual’s household size shall be determined by reference to the individual, the number of dependents of the taxpayer with respect to whom the taxpayer is entitled to a deduction under section 151(c) of the Internal Revenue Code of 1986, and, if married and filing jointly, such individual’s spouse.

“(4) INDIVIDUALS NOT FILING A RETURN.—

“(A) INDIVIDUALS NOT REQUIRED TO FILE.—The income-based repayment obligation with respect to an individual not required to file

1 a return under section 6012(a)(1) of the Inter-
2 nal Revenue Code of 1986 shall be treated as
3 zero.

4 “(B) FAILURE TO FILE.—In the case of an
5 individual who makes an election under sub-
6 section (b) with respect to a loan made under
7 this part in repayment status and fails to file
8 a return under section 6012(a)(1), the Sec-
9 retary of the Treasury shall transmit to the
10 Secretary of Education any such tax informa-
11 tion of the individual as may be necessary to
12 determine whether such individual is in default
13 under the terms of such loan.

14 “(5) SUBSEQUENT TRANSMISSION OF EM-
15 PLOYER INFORMATION REPORTING.—As soon as
16 practicable after receiving from an employer infor-
17 mation reporting with respect to withholding under
18 subsection (b)(1) of an individual, the Secretary of
19 the Treasury shall transmit to the Secretary of Edu-
20 cation such information as may be useful in
21 verifying the information with respect to withholding
22 transmitted under paragraph (1).

23 “(d) ADDITIONAL PROGRAM REQUIREMENTS.—The
24 Secretary of the Treasury shall establish such other poli-
25 cies, procedures, and guidance as may be necessary to

1 carry out the purposes of this section, including measures
2 to prevent underwithholding, underreporting, and evasion
3 of repayment or filing. Amounts shall be deducted and
4 withheld under this section as the Secretary determines
5 to be most appropriate to carry out the purposes of the
6 IDEA Loan Repayment Program and to reflect, as accu-
7 rately as is practicable, an individual's income-based re-
8 payment obligation.

9 **“SEC. 499E. DUTIES OF THE SECRETARY OF EDUCATION.**

10 “The Secretary shall carry out the following activities
11 as part of the IDEA Loan Repayment Program estab-
12 lished under this chapter:

13 “(1) CALCULATION OF ANNUAL REPAYMENT
14 AMOUNTS.—The Secretary shall calculate the annual
15 repayment amounts under 499F(b) for borrowers
16 with 1 or more loans made under this part in repay-
17 ment status, including the income-based repayment
18 obligations of such borrowers in accordance with sec-
19 tion 499D(c)(2).

20 “(2) COMMUNICATION WITH THE SECRETARY
21 OF THE TREASURY.—The Secretary shall transmit
22 to the Secretary of the Treasury such information as
23 is necessary for the Secretary of the Treasury to
24 carry out section 499D.

1 “(3) ANNUAL STATEMENTS.—Upon calculating
2 the annual repayment amounts under paragraph (1)
3 for a taxable year, the Secretary shall provide a
4 statement, on an annual basis, to each borrower
5 with a loan made under this part, which lists the fol-
6 lowing:

7 “(A) Total payments made on the bor-
8 rower’s annual repayment amount for such tax-
9 able year.

10 “(B) The borrower’s annual repayment
11 amount for such taxable year.

12 “(C) In the case of a borrower who, ac-
13 cording to section 499F(f), has underpaid such
14 annual repayment amount, the amount of such
15 underpayment and the process for paying such
16 underpayment under section 499F(f)(2).

17 “(D) In the case of a borrower with an
18 overpayment on such annual repayment
19 amount, the amount of such overpayment and
20 the process for requesting a refund of such
21 amount under section 499F(g), if applicable.

22 “(E) The outstanding balances on all the
23 loans made to the borrower under this part.

1 “(F) A description of how the borrower’s
2 annual repayment amount was calculated under
3 paragraph (1) or (2) of section 499F(b).

4 “(4) DIRECT PAYMENT.—The Secretary shall
5 enable a borrower to make direct payments on the
6 borrower’s annual repayment amount for the taxable
7 year to the Secretary throughout the year, including
8 by providing a process for the borrower to make
9 such payments automatically, on a periodic basis,
10 and in an amount specified by the borrower.

11 “(5) PAYMENTS ON A TAXPAYER’S BEHALF.—
12 The Secretary shall—

13 “(A) provide a mechanism for other indi-
14 viduals or entities to make payments on the an-
15 nual repayment amount of a borrower for a tax-
16 able year; and

17 “(B) notify the borrower that any pay-
18 ments made under subparagraph (A) for the
19 taxable year that exceed the annual repayment
20 amount for the year shall not be refunded to
21 the borrower.

22 “(6) CALCULATING INTEREST ACCRUED.—The
23 Secretary shall calculate the interest accrued for the
24 taxable year as if the borrower’s payments under
25 wage withholding or quarterly estimated payments

1 under section 499D(b) for the taxable year were
2 made in 12 equal increments throughout the year.

3 “(7) MANAGING LOANS.—The Secretary shall
4 provide, through the Internet, a tool that has an
5 interface that is consistent for all borrowers with a
6 loan under this part, which enables each such bor-
7 rower to—

8 “(A) view the outstanding balances on the
9 borrower’s loans made under this part;

10 “(B) make a direct payment on the bor-
11 rower’s annual repayment amount or indicate
12 that any overpayment should be refunded or ap-
13 plied to such loans as a prepayment amount;

14 “(C) view prior annual statements for such
15 loans provided under paragraph (3);

16 “(D) view a history of payments made on
17 such loans (including the method and source of
18 each payment, such as tax withholding, esti-
19 mated taxes, direct payment, or payments made
20 on the borrower’s behalf);

21 “(E) view the borrower’s annual repay-
22 ment amount for that year, the amount already
23 paid on such annual repayment amount, and
24 any amount owed by the borrower or due to be
25 refunded to the borrower;

1 “(F) view the borrower’s loans made under
2 this part that have been paid off;

3 “(G) enable the borrower to initiate an ap-
4 peal process under paragraph (8); and

5 “(H) easily determine whether benefits
6 under the Servicemembers Civil Relief Act (50
7 U.S.C. App. 501 et seq.), if applicable, have
8 been applied to the borrower’s loans made
9 under this part.

10 “(8) APPEALS PROCESS.—The Secretary shall
11 make available a process through which a borrower
12 can appeal the calculation of the borrower’s annual
13 repayment amount, including a worksheet that en-
14 ables a borrower to calculate the borrower’s annual
15 repayment amount.

16 “(9) DEFAULT FOR FAILURE TO FILE A RE-
17 TURN.—In a case in which the Secretary receives in-
18 formation from the Secretary of the Treasury under
19 section 499D(c)(4) that a borrower with a loan
20 made under this part in repayment status has failed
21 to file a return under section 6012(a)(1) of the In-
22 ternal Revenue Code of 1986 and such borrower was
23 required to file such a return, the Secretary shall—

24 “(A) notify the borrower of the borrower’s
25 failure to file such a return; and

1 “(B) if the borrower fails to file such a re-
 2 turn within 90 days of receipt of the notice de-
 3 scribed in subparagraph (A), consider the bor-
 4 rower’s loans made under this part in repay-
 5 ment status to be in default.

6 “(10) NATIONAL DIRECTORY OF NEW HIRES.—
 7 The Secretary shall send notices to borrowers under
 8 paragraph (5) of section 435(i) of the Social Secu-
 9 rity Act (42 U.S.C. 653(i)), as added by section 5
 10 of the Earnings Contingent Education Loans Act of
 11 2019.

12 **“CHAPTER 2—BORROWER REPAYMENT OF**
 13 **IDEA LOANS AND IDEA CONSOLIDA-**
 14 **TION LOANS**

15 **“SEC. 499F. BORROWER REPAYMENT.**

16 “(a) REPAYMENT PERIOD.—The repayment period of
 17 a loan made under this part shall—

18 “(1) begin on the first day of the first taxable
 19 year that begins after the borrower’s in-school
 20 deferment period, or in the case of an IDEA Con-
 21 solidation Loan, on the first day of the first taxable
 22 year that begins after such Consolidation Loan is
 23 disbursed; and

24 “(2) continue until the loan is paid in full, ex-
 25 cept that the Secretary may grant a borrower for-

1 bearance of the borrower's annual repayment
2 amount—

3 “(A) for a period not to exceed 60 days,
4 due to administrative or technical reasons;

5 “(B) for a period not to exceed 3 months,
6 due to unusual circumstances that disrupt the
7 borrower's ability to make timely payments on
8 the loan; or

9 “(C) renewable at 12-month intervals for a
10 period not to exceed 3 years, due to docu-
11 mented extreme economic hardship on the part
12 of a borrower.

13 “(b) ANNUAL REPAYMENT AMOUNT.—The annual
14 repayment amount under this part for a taxable year for
15 a borrower with 1 or more loans made under this part
16 in repayment status shall be equal to the lesser of—

17 “(1) the income-based repayment obligation for
18 such borrower for such year, as calculated under
19 section 499E(1); or

20 “(2) an amount equal to the sum of the out-
21 standing balances (equal to the sum of the unpaid
22 principal, interest, penalties, and fees) that the bor-
23 rower owes on such loans.

1 “(c) METHODS OF REPAYMENT.—In repaying an an-
2 nual repayment amount owed by a borrower for a taxable
3 year, a borrower may—

4 “(1) with respect to any wages earned by the
5 borrower that are subject to Federal income tax
6 withholding, have amounts withheld upon such
7 wages under section 499D(b)(2);

8 “(2) in the case of a borrower who makes quar-
9 terly estimated tax return payments under section
10 6654 of the Internal Revenue Code of 1986 for the
11 year, pay such annual repayment amount concur-
12 rently with such quarterly payments under section
13 499D(b)(3);

14 “(3) make direct payments under section
15 499E(4) on such amount to the Secretary through-
16 out the year; or

17 “(4) have other individuals or entities make
18 payments under section 499E(5) on the borrower’s
19 annual repayment amount for the year.

20 “(d) ORDER OF CREDITING.—Payments on loans
21 made under this part shall be applied, without regard to
22 the method of such payments, first toward penalties due
23 on the loans, next toward any fees due on the loans, then
24 toward any interest due on the loans, and finally toward

1 the principal due on the loan with the highest applicable
2 rate of interest among such loans.

3 “(e) PREPAYMENT AUTHORIZED.—A borrower shall
4 have the right to prepay all or part of such loan, at any
5 time and without penalty. Any such prepayment amount
6 will be applied to loans made under this part in the same
7 order as described in subsection (d).

8 “(f) UNDERPAYMENTS.—

9 “(1) PENALTIES FOR UNDERPAYMENTS.—

10 “(A) IN GENERAL.—Subject to subpara-
11 graph (C), if, as of the last day of a taxable
12 year, a borrower has not paid at least 90 per-
13 cent of the borrower’s annual repayment
14 amount for such year, the borrower shall be
15 charged a penalty in an amount equal to 10
16 percent of the difference between—

17 “(i) an amount equal to 90 percent of
18 the borrower’s annual repayment amount
19 for such year; and

20 “(ii) the amount paid on such annual
21 repayment amount as of such day.

22 “(B) INCREASE OF ANNUAL REPAYMENT
23 AMOUNT.—A borrower’s annual repayment
24 amount calculated under subsection (b) for such
25 year shall be increased by the amount of such

1 penalty, but such penalty shall not be treated as
2 a principal or interest amount for a loan made
3 under this part.

4 “(C) EXCEPTION.—A borrower who has
5 paid 100 percent of the borrower’s annual re-
6 payment amount for the taxable year preceding
7 the taxable year described in subparagraph (A)
8 shall not be subject to the penalty under this
9 paragraph for the taxable year described in sub-
10 paragraph (A).

11 “(2) RECONCILING UNDERPAYMENTS.—

12 “(A) IN GENERAL.—If, as of the last day
13 of a taxable year, the sum of the payments
14 made on a borrower’s annual repayment
15 amount for such year is less than the total
16 amount of the borrower’s annual repayment
17 amount for such year, the borrower—

18 “(i) in the case of the first year that
19 the borrower has a difference between such
20 amounts—

21 “(I) may request, in such manner
22 as the Secretary shall require, that
23 the Secretary reduce the borrower’s
24 annual repayment amount for such
25 year to the sum of—

1 “(aa) the payments made,
2 as of such day, on the borrower’s
3 annual repayment amount for
4 such year; and

5 “(bb) any penalties cal-
6 culated under paragraph (1) re-
7 sulting from such underpayment;
8 and

9 “(II) if the borrower qualifies for
10 the reduction requested under sub-
11 clause (I), shall pay the sum cal-
12 culated under such subclause at such
13 time and in such manner as required
14 by the Secretary;

15 “(ii) if the borrower does not qualify
16 for a reduction under clause (i) or does not
17 request such a reduction, shall pay to the
18 Secretary an amount equal to the dif-
19 ference between such amounts within the
20 30-day period beginning on the date of re-
21 ceipt by the borrower of the borrower’s an-
22 nual statement described in section
23 499E(3) for such year; or

24 “(iii) if the borrower fails to pay the
25 amount owed by the borrower as calculated

1 under clause (ii) within the 30-day period,
2 shall be charged a penalty equal to 2 per-
3 cent of such amount for each month (pro-
4 rated based on the percentage of a month
5 such penalty is charged) that such amount
6 is owed or until the borrower defaults on
7 the loan for which such amount is owed,
8 whichever occurs first.

9 “(B) DEFAULT.—A loan for which an
10 amount is owed under subparagraph (A) and
11 that is not paid within 360 days after the date
12 of receipt by the borrower of the borrower’s an-
13 nual statement described in subparagraph (A)
14 shall be considered to be default.

15 “(g) OVERPAYMENTS.—If, as of the last day of a tax-
16 able year, the sum of the payments made on a borrower’s
17 annual repayment amount for such year is greater than
18 the total amount of the borrower’s annual repayment
19 amount for such year, the Secretary shall—

20 “(1) refund the overpayment amount, if the
21 borrower notifies the Secretary, within the 90-day
22 period beginning on the date of receipt of the bor-
23 rower’s annual statement described in section
24 499E(3) for such year and in a manner prescribed

1 by the Secretary, that the borrower desires to have
2 the overpayment amount refunded; or

3 “(2) if a borrower fails to notify the Secretary
4 of the borrower’s desire for a refund of such amount
5 within such 90-day period, apply such amount as a
6 prepayment to the borrower’s loans made under this
7 part in the same manner as a prepayment author-
8 ized under subsection (e).

9 “(h) EMPLOYER FAILURE TO WITHHOLD PAY-
10 MENTS.—In the case of a borrower whose employer fails
11 to withhold amounts under section 499D(b)(2) upon any
12 wages earned by the borrower that are subject to Federal
13 income tax withholding and with respect to which the bor-
14 rower made an election to have amounts withheld under
15 section 499(b)(2), the Secretary shall—

16 “(1) reduce the borrower’s annual repayment to
17 an amount equal to the borrower’s annual repay-
18 ment amount had wages from such employer been
19 excluded when calculating the borrower’s annual re-
20 payment amount; and

21 “(2) reduce any penalties for underpayments
22 calculated under subsection (f)(1) and refund any
23 overpayments on such annual repayment amount,
24 accordingly.”.

1 **SEC. 4. CONFORMING CHANGES TO THE HIGHER EDU-**
2 **CATION ACT OF 1965.**

3 (a) LOAN FORGIVENESS AND CANCELLATION FOR
4 TEACHERS.—

5 (1) LOAN FORGIVENESS FOR TEACHERS.—Sec-
6 tion 428J of the Higher Education Act of 1965 (20
7 U.S.C. 1078–10) is amended—

8 (A) in subsection (b), by inserting “or for
9 an IDEA loan made under part J,” after “or
10 428H,”; and

11 (B) in subsection (c)—

12 (i) in paragraph (1), by inserting “or
13 an IDEA loan made under part J” after
14 “or 428H”; or

15 (ii) in paragraph (2)—

16 (I) by striking “A loan” and in-
17 serting the following:

18 “(A) LOANS MADE UNDER SECTION
19 428C.—A loan”; and

20 (II) by adding at the end the fol-
21 lowing new subparagraph:

22 “(B) IDEA CONSOLIDATION LOAN.—A
23 loan amount for an IDEA Consolidation Loan
24 may be a qualified loan amount for purposes of
25 this subsection only to the extent that such loan
26 amount was used to repay a Federal Direct

1 Stafford Loan, a Federal Direct Consolidation
 2 Loan, a Federal Direct Unsubsidized Stafford
 3 Loan, or a loan made under section 428, 428C,
 4 or 428H.”.

5 (2) LOAN CANCELLATION FOR TEACHERS.—
 6 Section 460 of such Act (20 U.S.C. 1087j) is
 7 amended—

8 (A) in subsection (b), by inserting “or for
 9 an IDEA loan made under part J” after
 10 “under this part”; and

11 (B) in subsection (c)—

12 (i) in paragraph (1), by striking “or a
 13 Federal Direct Unsubsidized Stafford
 14 Loan” and inserting “, a Federal Direct
 15 Unsubsidized Stafford Loan, or an IDEA
 16 loan made under part J”; and

17 (ii) in paragraph (2)—

18 (I) by striking “A loan” and in-
 19 serting the following:

20 “(A) FEDERAL DIRECT CONSOLIDATION
 21 LOAN.—A loan”; and

22 (II) by adding at the end the fol-
 23 lowing new subparagraph:

24 “(B) IDEA CONSOLIDATION LOAN.—A
 25 loan amount for an IDEA Consolidation Loan

1 may be a qualified loan amount for purposes of
2 this subsection only to the extent that such loan
3 amount was used to repay a Federal Direct
4 Stafford Loan, a Federal Direct Consolidation
5 Loan, a Federal Direct Unsubsidized Stafford
6 Loan, or a loan made under section 428, 428C,
7 or 428H.”.

8 (b) LOAN FORGIVENESS FOR SERVICE IN AREAS OF
9 NATIONAL NEED.—Section 428K(a)(2) of such Act (20
10 U.S.C. 1078–11(a)(2)) is amended—

11 (1) by striking “and” at the end of subpara-
12 graph (A);

13 (2) by striking the period at the end of sub-
14 paragraph (B) and inserting “; and”; and

15 (3) by adding at the end the following new sub-
16 paragraph:

17 “(C) to cancel the qualified loan amount
18 for a loan made under part J of this title.”.

19 (c) LOAN REPAYMENT FOR CIVIL LEGAL ASSIST-
20 ANCE ATTORNEYS.—Section 428L(b)(2)(A) of such Act
21 (20 U.S.C. 1078–12(b)(2)(A)) is amended—

22 (1) in clause (i), by striking “or part E” and
23 inserting “, part E, or part J”; and

24 (2) in clause (ii)—

1 (A) in the matter preceding subclause (I),
 2 by striking “or 455(g)” and inserting “, 455(g),
 3 or 499C”;

4 (B) by striking “or” at the end of sub-
 5 clause (II);

6 (C) by redesignating subclause (III) as
 7 subclause (IV); and

8 (D) by inserting after subclause (II) the
 9 following:

10 “(III) a Federal Direct Consoli-
 11 dation loan or a loan made under sec-
 12 tion 428C, in the case of a loan made
 13 under section 499C; or”.

14 (d) MASTER PROMISSORY NOTE.—Section
 15 432(m)(1)(D) of such Act (20 U.S.C. 1082(m)(1)(D)) is
 16 amended—

17 (1) by striking “this part and part D” each
 18 place it appears and inserting “this part, part D,
 19 and part J”; and

20 (2) by striking “this part or part D” each place
 21 it appears and inserting “this part, part D, or part
 22 J”.

23 (e) CONTRACTS.—Section 456 of such Act (20 U.S.C.
 24 1087f) is amended—

1 (1) in subsection (a)(2), by striking “this part”
 2 each place it appears and inserting “this part or
 3 part J”; and

4 (2) in subsection (b)—

5 (A) in paragraph (1), by inserting “or the
 6 program under part J” after “(or their par-
 7 ents)”;

8 (B) in paragraph (2), by inserting “or part
 9 J” after “this part”;

10 (C) in paragraph (3), by inserting “or part
 11 J” after “this part”; and

12 (D) in paragraph (4), by inserting “or the
 13 IDEA Loan Program” after “loan program”.

14 (f) FUNDS FOR ADMINISTRATIVE EXPENSES.—Sec-
 15 tion 458(a)(3) of such Act (20 U.S.C. 1087h(a)(3)) is
 16 amended—

17 (1) by striking “this part and part B” and in-
 18 serting “this part, part B, and part J”; and

19 (2) by inserting before the period at the end the
 20 following: “and part J”.

21 (g) STUDENT ELIGIBILITY.—Section 484 of such Act
 22 (20 U.S.C. 1091) is amended—

23 (1) in subsection (b)—

24 (A) in paragraph (3), by striking “or D”
 25 and inserting “, D, or E”; and

1 (B) in paragraph (4), by striking “or E”
 2 and inserting “E, or J”;

3 (2) in subsection (d), by striking “and E” and
 4 inserting “E, and J”;

5 (3) in subsection (f), by striking “or part E”
 6 each place it appears and inserting “part E, or part
 7 J”; and

8 (4) in subsection (m), by striking “and E” and
 9 inserting “E, and J”.

10 (h) INSTITUTIONAL AND FINANCIAL ASSISTANCE IN-
 11 FORMATION FOR STUDENTS.—Section 485 of such Act
 12 (20 U.S.C. 1092) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1)(M), by striking “and
 15 E” and inserting “E, and J”; and

16 (B) in paragraph (7)(A)(i), by striking
 17 “Loan)” each place it appears and inserting
 18 “Loan) or part J”;

19 (2) in subsection (b)—

20 (A) in paragraph (1)(A)—

21 (i) in the matter preceding clause (i),
 22 by inserting “or made under part J” after
 23 “part E”; and

24 (ii) in clause (vii)—

1 (I) by inserting “or an IDEA
 2 Consolidation Loan” after “Federal
 3 Direct Consolidation Loan”; and

4 (II) by striking “and E” and in-
 5 serting “E, and J”; and

6 (B) in paragraph (2)(A), by striking “or
 7 E” and inserting “E, or J”; and
 8 (3) in subsection (l)(1)—

9 (A) in subparagraph (A), in the matter
 10 preceding clause (i), by inserting “or made
 11 under part J” after “student”); and

12 (B) in subparagraph (B), by striking “or
 13 D” and inserting “, D, or J”.

14 **SEC. 5. NATIONAL DIRECTORY OF NEW HIRES.**

15 Section 453(i) of the Social Security Act (42 U.S.C.
 16 653(i)) is amended by adding at the end the following new
 17 paragraph:

18 “(5) SENDING NOTICE TO BORROWERS OF CER-
 19 TAIN STUDENT LOANS.—The Secretary of Education
 20 shall have access to the information in the National
 21 Directory of New Hires for purposes of—

22 “(A) identifying, on at least a monthly
 23 basis, newly hired employees with an IDEA
 24 Loan or IDEA Consolidation loan made under

part J of title IV of the Higher Education Act of 1965 in repayment status; and

“(B) sending a notice to each such individual to remind such individual that—

“(i) the individual has 1 or more loans described in subparagraph (A) in repayment status;

“(ii) the individual is responsible for providing accurate information to the individual’s employer to ensure that the employer will deduct and withhold upon such wages amounts to repay such loans in accordance with section 499D(b) of the Higher Education Act of 1965; and

“(iii) failure to provide such accurate information will likely result in significant penalties, default, or collections proceedings.”.

SEC. 6. WITHHELD AMOUNTS INCLUDED ON W-2.

(a) IN GENERAL.—Section 6051(a) of the Internal Revenue Code of 1986 is amended by striking “and” at the end of paragraph (16), by striking the period at the end of paragraph (17) and inserting “, and”, and by inserting after paragraph (17) the following new paragraph:

1 “(18) the total amount deducted and withheld
 2 under the IDEA Loan Repayment Program estab-
 3 lished under chapter 1 of subpart 2 of part J of title
 4 IV of the Higher Education Act of 1965.”.

5 (b) EFFECTIVE DATE.—The amendments made by
 6 this section shall apply to amounts deducted and withheld
 7 after the date of the enactment of this Act.

8 **SEC. 7. DISCLOSURE OF RETURN INFORMATION FOR PUR-**
 9 **POSES OF IDEA LOAN REPAYMENT PRO-**
 10 **GRAM.**

11 (a) IN GENERAL.—Section 6103(l) of the Internal
 12 Revenue Code of 1986 is amended by adding at the end
 13 the following new paragraph:

14 “(23) DISCLOSURE OF RETURN INFORMATION
 15 TO DEPARTMENT OF EDUCATION FOR PURPOSES OF
 16 ADMINISTERING IDEA LOAN REPAYMENT PRO-
 17 GRAM.—

18 “(A) IN GENERAL.—The Secretary shall,
 19 upon written request, disclose to the Depart-
 20 ment of Education such return information as
 21 is necessary for purposes of carrying out the
 22 IDEA Loan Repayment Program established
 23 under subpart 2 of part J of the Higher Edu-
 24 cation Act of 1965.

1 “(B) RESTRICTION ON DISCLOSURE.—Re-
2 turn information disclosed under subparagraph
3 (A) may be used by officers, employees, and
4 contractors of the Department of Education
5 only for purposes of, and to the extent nec-
6 essary in—

7 “(i) determining income-based repay-
8 ment obligations under the IDEA Loan
9 Repayment Program, and

10 “(ii) determining amounts deducted
11 and withheld, and amounts paid concur-
12 rently with quarterly estimated taxes,
13 under the IDEA Loan Repayment Pro-
14 gram.”.

15 (b) EFFECTIVE DATE.—The amendments made by
16 this section shall take effect on the date of the enactment
17 of this Act.

18 **SEC. 8. SENSE OF CONGRESS.**

19 It is the sense of Congress that any loan repayment
20 or forgiveness program available under a Federal law out-
21 side of the Higher Education Act of 1965 (20 U.S.C. 1001
22 et seq.) to students with loans made under part D of title
23 IV of the Higher Education Act of 1965 (20 U.S.C. 1087a

- 1 et seq.) should be available to students with loans made
- 2 under part J of such title of such Act.

