

116TH CONGRESS
2D SESSION

S. 3543

To amend the public service loan forgiveness program under the Higher Education Act of 1965 to waive the requirement that a borrower make a monthly payment during a month for which there is a qualifying emergency in the State in which the borrower is employed.

IN THE SENATE OF THE UNITED STATES

MARCH 19, 2020

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 public service loan forgiveness program under the Higher Education Act of 1965 to waive the requirement that a borrower make a monthly payment during a month for which there is a qualifying emergency in the State in which the borrower is employed.

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 Protection Act”.

1 **SEC. 2. WAIVER FOR PUBLIC SERVICE LOAN FORGIVENESS**
 2 **PAYMENTS DURING QUALIFYING EMER-**
 3 **GENCY.**

4 Section 455(m) of the Higher Education Act of 1965
 5 (20 U.S.C. 1087e(m)) is amended—

6 (1) in paragraph (1), by striking “The Sec-
 7 retary” and inserting “Except as provided under
 8 paragraph (5), the Secretary”; and

9 (2) by adding at the end the following:

10 “(5) WAIVER FOR PAYMENTS DURING QUALI-
 11 FYING EMERGENCY.—

12 “(A) QUALIFYING EMERGENCY.—The term
 13 ‘qualifying emergency’ means—

14 “(i) a public health emergency de-
 15 clared by the Secretary of Health and
 16 Human Services pursuant to section 319
 17 of the Public Health Service Act (42
 18 U.S.C. 247d);

19 “(ii) an emergency for which a Gov-
 20 ernor of a State or territory has declared
 21 a state of emergency;

22 “(iii) an event for which the President
 23 declared a major disaster or an emergency
 24 under section 401 or 501, respectively, of
 25 the Robert T. Stafford Disaster Relief and

1 Emergency Assistance Act (42 U.S.C.
2 5170 and 5191); or

3 “(iv) a national emergency declared
4 by the President under section 201 of the
5 National Emergencies Act (50 U.S.C.
6 1621).

7 “(B) WAIVER.—The Secretary may waive
8 the requirement under paragraph (1) that a
9 borrower make a monthly payment during a
10 month for which there is a qualifying emer-
11 gency in the State in which the borrower is em-
12 ployed. A failure to make a monthly payment
13 pursuant to such waiver shall not disqualify
14 such borrower from receiving loan cancellation
15 pursuant to this subsection.”.

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