

117TH CONGRESS  
2D SESSION

# H. R. 9242

To amend the Higher Education Act of 1965 to establish a pro bono service requirement for individuals who borrow Federal student loans for graduate legal education, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 28, 2022

Mr. BURCHETT 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 establish a pro bono service requirement for individuals who borrow Federal student loans for graduate legal education, 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 “Legal Aid for Ameri-  
5 cans Act of 2022”.

1 **SEC. 2. PRO BONO SERVICE REQUIREMENT FOR LAW GRAD-**  
2 **UATES.**

3 Section 455 of the Higher Education Act of 1965 (20  
4 U.S.C. 1087e) is amended by adding at the end the fol-  
5 lowing:

6 “(r) PRO BONO SERVICE REQUIREMENT FOR LAW  
7 GRADUATES.—

8 “(1) IN GENERAL.—As condition of receiving a  
9 loan under this part for graduate legal education, a  
10 borrower shall enter into an agreement with the Sec-  
11 retary pursuant to which the borrower agrees to per-  
12 form legal work, on a pro bono basis, for not fewer  
13 than 50 hours per year during each year of the ap-  
14 plicable service period.

15 “(2) ANNUAL CERTIFICATIONS.—

16 “(A) IN GENERAL.—On an annual basis  
17 during each year of the applicable service pe-  
18 riod, a borrower subject to an agreement under  
19 paragraph (1) shall submit to the Secretary a  
20 certification indicating whether or not the bor-  
21 rower has complied with the requirements of  
22 the agreement.

23 “(B) EXEMPTION FOR PUBLIC SERVICE  
24 EMPLOYEES.—A borrower who is employed in a  
25 public service job (as defined in subsection (m))  
26 during the applicable service period, as dem-

1           onstrated by an annual certification of such em-  
2           ployment submitted to the Secretary by such  
3           borrower, shall be deemed to be in compliance  
4           with the pro bono service requirement under  
5           this subsection and shall not be required to per-  
6           form any additional pro bono service pursuant  
7           to this subsection.

8           “(3) NONCOMPLIANCE.—Notwithstanding any  
9           other provision of this Act, a borrower subject to an  
10          agreement under paragraph (1) who does not comply  
11          with the terms of the agreement for any year of the  
12          applicable service period shall be treated as in de-  
13          fault on any loan to which such agreement applies  
14          until the date on which the borrower certifies that  
15          the borrower is in compliance with the agreement.

16          “(4) EXCEPTIONS.—The requirement to per-  
17          form pro bono legal service pursuant to an agree-  
18          ment under paragraph (1) shall not apply during  
19          any period in which the borrower—

20                  “(A) is serving on active duty during a war  
21                  or other military operation or national emer-  
22                  gency;

23                  “(B) is performing qualifying National  
24                  Guard duty during a war or other military op-  
25                  eration or national emergency; or

1           “(C) is attending an institution of higher  
2           education on not less than a half-time basis.

3           “(5) APPLICABILITY.—The requirement under  
4           paragraph (1) shall apply to loans made under this  
5           part for graduate legal education after the date of  
6           enactment of the Legal Aid for Americans Act of  
7           2022.

8           “(6) DEFINITIONS.—In this subsection:

9           “(A) APPLICABLE SERVICE PERIOD.—The  
10          term ‘applicable service period’ means—

11           “(i) with respect to a borrower who is  
12           licensed to practice law in a State before  
13           receiving a loan under this part for grad-  
14           uate legal education, the first three years  
15           following the date on which the borrower  
16           completes the program of study for which  
17           the loan was obtained; and

18           “(ii) with respect to a borrower who is  
19           not licensed to practice law in a State be-  
20           fore receiving a loan under this part for  
21           graduate legal education, the first three  
22           years following the date on which the bor-  
23           rower obtains a license to practice law in  
24           a State.

1           “(B) GRADUATE LEGAL EDUCATION.—The  
2           term ‘graduate legal education’ means any pro-  
3           gram of study leading to a graduate degree or  
4           graduate certificate in a legal field (as deter-  
5           mined by the Secretary), including any program  
6           of study leading to a Juris Doctor (JD) degree,  
7           Master of Laws (LLM) degree, or Doctor of  
8           Juridical Science (SJD) degree.”.

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