

112TH CONGRESS
2D SESSION

H. R. 6674

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

DECEMBER 17, 2012

Mr. PETRI introduced the following bill; which was referred to the Committee on Education and the Workforce, 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 2012”, or the “ExCEL Act of
6 2012”.

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 2014—

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 2014, 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 2019.

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-

1 eral Direct Unsubsidized Stafford Loans a stu-
 2 dent described in subparagraph (B)(i) may bor-
 3 row in an academic year (as defined in section
 4 481(a)(2)) or its equivalent shall be the max-
 5 imum annual amount for such student deter-
 6 mined under section 428H, plus an amount
 7 equal to the amount of Federal Direct Stafford
 8 Loans the student would have received in the
 9 absence of subparagraph (A)(i).”.

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

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

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

19 **“SEC. 499A. PROGRAM AUTHORITY AND AGREEMENTS.**

20 “(a) PROGRAM AUTHORITY.—

21 “(1) IN GENERAL.—There are hereby made
 22 available, in accordance with the provisions of this
 23 part, such sums as may be necessary to make loans
 24 to all eligible students in attendance at participating
 25 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, 2014. 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, 2014. 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-

1 stitution for participation or origination, respec-
2 tively, in the student loan program under part D,
3 except that agreements for participation or origina-
4 tion under this part shall not apply to parent loans.

5 “(3) WITHDRAWAL AND TERMINATION PROCE-
6 DURES.—The Secretary shall establish procedures by
7 which institutions or consortia may withdraw or be
8 terminated from the program under this part.

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

10 “(a) PARALLEL TERMS, CONDITIONS, BENEFITS,
11 AND AMOUNTS.—Unless otherwise specified in this part,
12 Income Dependent Education Assistance Loans (herein-
13 after referred to as ‘IDEA Loans’) made to borrowers
14 under this part shall have the same terms, conditions, and
15 benefits, and be available in the same amounts, as Federal
16 Direct Unsubsidized Stafford Loans made to borrowers
17 under part D, and first disbursed on the day before the
18 date of enactment of the Earnings Contingent Education
19 Loans Act of 2012.

20 “(b) ELIGIBLE BORROWERS.—

21 “(1) IN GENERAL.—In addition to the require-
22 ments of section 484, to be eligible to receive a loan
23 (other than an IDEA Consolidation Loan) under
24 this part, a borrower—

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

8 “(B) in the case of an individual with an
9 outstanding balance of principal or interest
10 owing on any loan described in subparagraph
11 (A), shall consolidate all such existing loans
12 into an IDEA Consolidation Loan under section
13 499C.

14 “(2) ONLY STUDENT BORROWERS ELIGIBLE.—
15 For purposes of this part, the term ‘borrower’ shall
16 not include a parent borrower.

17 “(c) ANNUAL AND AGGREGATE LIMITS.—

18 “(1) IN GENERAL.—Subject to paragraph (2),
19 the maximum annual amount of IDEA Loans in any
20 academic year (as defined in section 481(a)(2)) or
21 its equivalent, and the maximum aggregate amount
22 of IDEA Loans that a student may borrow, shall be
23 the maximum annual amounts and maximum aggre-
24 gate amounts, respectively, of Federal Direct Unsub-
25 sidized 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 2012.

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 2012, 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, 2014, 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, 2014, 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-

1 graph (1) or (2) for an IDEA Loan shall be
2 fixed for the life of the loan, except that inter-
3 est shall cease to accrue when the total amount
4 of interest (both paid and unpaid) that has ac-
5 crued during the borrower's grace and repay-
6 ment periods equals 50 percent of the total
7 amount of the loan (equal to the sum of the un-
8 paid principal, interest, penalties, and fees due
9 on the loan) as of first day of the borrower's
10 grace period.

11 “(B) IN-SCHOOL DEFERMENT PERIOD.—
12 Interest shall accrue and be capitalized or paid
13 by the borrower (but periodic installments of
14 principal need not be paid) during the in-school
15 deferment period with respect to an IDEA
16 Loan. For the purposes of this part, the in-
17 school deferment period with respect to an
18 IDEA Loan is the first period during which the
19 borrower is pursuing at least one-half the nor-
20 mal full-time academic workload (as determined
21 by the institution) in the course of study for
22 which the borrower received such loan and end-
23 ing on the first day of the first month that be-
24 gins after the borrower ceases to carry at least
25 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 SERVICE MEMBERS.—

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, 2014.

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, 2014,
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, 2014, 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
21 wage withholding and quarterly estimated payments
22 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 every employer making payment of wages
15 to deduct and withhold upon such wages amounts
16 determined in accordance with tables or computa-
17 tional procedures prescribed by the Secretary with
18 respect to an employee for whom a loan made under
19 this part is in repayment status and, if applicable
20 under this section, with respect to an employee
21 whose spouse has a loan made under this part in re-
22 payment status.

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

1 “(A) procedures and forms for an em-
2 ployee to indicate—

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

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

14 “(iii) whether the exemption amount
15 to which the employee is entitled under
16 this section should be taken into account
17 in determining withholding (and accom-
18 panying guidance explaining that, in order
19 to avoid underwithholding, the employee
20 should only take into account the exemp-
21 tion in the case of the employee’s primary
22 employer, unless total wages from more
23 than one place of employment will not ex-
24 ceed the exemption amount);

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

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

23 “(vi) an election to have additional
24 amounts withheld; and

1 “(B) for withholding with respect to any
2 employee in an amount equal to the sum of—

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

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

24 “(3) QUARTERLY ESTIMATED TAX PAY-
25 MENTS.—In the case of taxpayers who make quar-

1 terly estimated tax return payments under section
2 6654 of the Internal Revenue Code of 1986 and who
3 have a loan made under this part in repayment sta-
4 tus, the Secretary shall provide similar tables and
5 procedures for making repayments of loans made
6 under this part concurrently with such quarterly
7 payments.

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

14 “(c) DETERMINATION OF INCOME-BASED REPAY-
15 MENT OBLIGATION.—

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

23 “(A) the amount deducted and withheld
24 under subsection (b)(1), and the amount paid

1 under subsection (b)(3), for the taxable year
2 with respect to such individual, and

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

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

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

11 “(i) the sum of—

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

18 “(II) the amount of the tax-
19 payer’s net earnings from self-employ-
20 ment for the taxable year (within the
21 meaning of section 1402(a)), deter-
22 mined with regard to the deduction al-
23 lowed to the taxpayer by section
24 164(f), plus

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

5 “(ii) the sum of—

6 “(I) the exemption amount with
7 respect to such individual, plus

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

12 “(B) SPECIAL RULES FOR MARRIED INDI-
13 VIDUALS.—

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

24 “(ii) SPECIAL RULE FOR FIRST YEAR
25 OF MARRIAGE.—In the case of the first

1 taxable year for which any two individuals
2 make a joint return, the income-based re-
3 payment obligation with respect to such an
4 individual shall be an amount equal to the
5 lesser of—

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

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

21 “(3) EXEMPTION AMOUNT.—For purposes of
22 this section:

23 “(A) IN GENERAL.—Except as provided in
24 subparagraph (B), the exemption amount with
25 respect to an individual shall be an amount

1 equal to 150 percent of the poverty line for the
2 individual's household size (as determined
3 under section 673(2) of the Community Serv-
4 ices Block Grant Act (42 U.S.C. 9902(2))) for
5 the calendar year in which the taxable year
6 ends.

7 “(B) SPECIAL RULE FOR MARRIED INDI-
8 VIDUALS WHO BOTH HAVE LOANS MADE UNDER
9 THIS PART.—If for any taxable year an indi-
10 vidual is married, files a joint return, and has
11 a spouse with a loan made under this part in
12 repayment status, then the exemption amount
13 with respect to such individual shall be an
14 amount equal to the sum of—

15 “(i) 150 percent of the poverty line
16 for a household size of one (as determined
17 under section 673(2) of the Community
18 Services Block Grant Act (42 U.S.C.
19 9902(2))) for the calendar year in which
20 the taxable year ends, and

21 “(ii) $\frac{1}{2}$ of the excess of—

22 “(I) 150 percent of the poverty
23 line for the individual's household size
24 minus 1 (as determined under section
25 673(2) of the Community Services

1 Block Grant Act (42 U.S.C. 9902(2)))
2 for the calendar year in which the tax-
3 able year ends, over

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

6 “(C) HOUSEHOLD SIZE.—For purposes of
7 this paragraph, an individual’s household size
8 shall be determined by reference to the indi-
9 vidual, the number of dependents of the tax-
10 payer with respect to whom the taxpayer is en-
11 titled to a deduction under section 151(c) of the
12 Internal Revenue Code of 1986, and, if married
13 and filing jointly, such individual’s spouse.

14 “(4) INDIVIDUALS NOT FILING A RETURN.—

15 “(A) INDIVIDUALS NOT REQUIRED TO
16 FILE.—The income-based repayment obligation
17 with respect to an individual not required to file
18 a return under section 6012(a)(1) of the Inter-
19 nal Revenue Code of 1986 shall be treated as
20 zero.

21 “(B) FAILURE TO FILE.—In the case of an
22 individual who has a loan made under this part
23 in repayment status and fails to file a return
24 under section 6012(a)(1), the Secretary of the
25 Treasury shall transmit to the Secretary of

1 Education any such tax information of the indi-
2 vidual as may be necessary to determine wheth-
3 er such individual is in default under the terms
4 of such loan.

5 “(5) SUBSEQUENT TRANSMISSION OF EM-
6 PLOYER INFORMATION REPORTING.—As soon as
7 practicable after receiving from an employer infor-
8 mation reporting with respect to withholding under
9 subsection (b)(1) of an individual for whom an loan
10 made under this part is in repayment status, the
11 Secretary of the Treasury shall transmit to the Sec-
12 retary of Education such information as may be use-
13 ful in verifying the information with respect to with-
14 holding transmitted under paragraph (1).

15 “(d) ADDITIONAL PROGRAM REQUIREMENTS.—The
16 Secretary of the Treasury shall establish such other poli-
17 cies, procedures, and guidance as may be necessary to
18 carry out the purposes of this section, including measures
19 to prevent underwithholding, under-reporting, and evasion
20 of repayment or filing. Amounts shall be deducted and
21 withheld under this section as the Secretary determines
22 to be most appropriate to carry out the purposes of the
23 IDEA Loan Repayment Program and to reflect, as accu-
24 rately as is practicable, an individual’s income-based re-
25 payment obligation.

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

2 “The Secretary shall carry out the following activities
3 as part of the IDEA Loan Repayment Program estab-
4 lished under this chapter:

5 “(1) **CALCULATION OF ANNUAL REPAYMENT**
6 **AMOUNTS.**—The Secretary shall calculate the annual
7 repayment amounts under 499F(b) for borrowers
8 with 1 or more loans made under this part in repay-
9 ment status, including the income-based repayment
10 obligations of such borrowers in accordance with sec-
11 tion 499D(c)(2).

12 “(2) **COMMUNICATION WITH THE SECRETARY**
13 **OF THE TREASURY.**—The Secretary shall transmit
14 to the Secretary of the Treasury such information as
15 is necessary for the Secretary of the Treasury to
16 carry out section 499D.

17 “(3) **ANNUAL STATEMENTS.**—Upon calculating
18 the annual repayment amounts under paragraph (1)
19 for a taxable year, the Secretary shall provide a
20 statement, on an annual basis, to each borrower
21 with a loan made under this part, which lists the fol-
22 lowing:

23 “(A) Total payments made on the bor-
24 rower’s annual repayment amount for such tax-
25 able year.

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

3 “(C) In the case of a borrower who, ac-
4 cording to section 499F(f), has underpaid such
5 annual repayment amount, the amount of such
6 underpayment and the process for paying such
7 underpayment under section 499F(f)(2).

8 “(D) In the case of a borrower with an
9 overpayment on such annual repayment
10 amount, the amount of such overpayment and
11 the process for requesting a refund of such
12 amount under section 499F(g), if applicable.

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

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

18 “(4) DIRECT PAYMENT.—The Secretary shall
19 enable a borrower to make direct payments on the
20 borrower’s annual repayment amount for the taxable
21 year to the Secretary throughout the year, including
22 by providing a process for the borrower to make
23 such payments automatically, on a periodic basis,
24 and in an amount specified by the borrower.

1 “(5) PAYMENTS ON A TAXPAYER’S BEHALF.—

2 The Secretary shall—

3 “(A) provide a mechanism for other indi-
4 viduals or entities to make payments on the an-
5 nual repayment amount of a borrower for a tax-
6 able year; and

7 “(B) notify the borrower that any pay-
8 ments made under subparagraph (A) for the
9 taxable year that exceed the annual repayment
10 amount for the year shall not be refunded to
11 the borrower.

12 “(6) CALCULATING INTEREST ACCRUED.—The
13 Secretary shall calculate the interest accrued for the
14 taxable year as if the borrower’s payments under
15 wage withholding or quarterly estimated payments
16 under section 499D(b) for the taxable year were
17 made in 12 equal increments throughout the year.

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

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

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

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

7 “(D) view a history of payments made on
8 such loans (including the method and source of
9 each payment, such as tax withholding, esti-
10 mated taxes, direct payment, or payments made
11 on the borrower’s behalf);

12 “(E) view the borrower’s annual repay-
13 ment amount for that year, the amount already
14 paid on such annual repayment amount, and
15 any amount owed by the borrower or due to be
16 refunded to the borrower;

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

19 “(G) enable the borrower to initiate an ap-
20 peal process under paragraph (8).

21 “(8) APPEALS PROCESS.—The Secretary shall
22 make available a process through which a borrower
23 can appeal the calculation of the borrower’s annual
24 repayment amount, including a worksheet that en-

1 ables a borrower to calculate the borrower’s annual
2 repayment amount.

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

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

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

18 “(10) NATIONAL DIRECTORY OF NEW HIRES.—
19 The Secretary shall send notices to borrowers under
20 paragraph (5) of section 435(i) of the Social Secu-
21 rity Act (42 U.S.C. 653(i)), as added by section 5
22 of the Earnings Contingent Education Loans Act of
23 2012.

1 **“CHAPTER 2—BORROWER REPAYMENT OF**
2 **IDEA LOANS AND IDEA CONSOLIDA-**
3 **TION LOANS**

4 **“SEC. 499F. BORROWER REPAYMENT.**

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

7 “(1) begin on the first day of the first taxable
8 year that begins after the borrower’s in-school
9 deferment period, or in the case of an IDEA Con-
10 solidation Loan, on the first day of the first taxable
11 year that begins after such Consolidation Loan is
12 disbursed; and

13 “(2) continue until the loan is paid in full, ex-
14 cept that the Secretary may grant a borrower for-
15 bearance of the borrower’s annual repayment
16 amount for administrative or technical reasons, or as
17 a result of unusual circumstances that disrupt a bor-
18 rower’s ability to make timely payments on a loan
19 made under this part.

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

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

4 “(2) an amount equal to the sum of the out-
5 standing balances (equal to the sum of the unpaid
6 principal, interest, penalties, and fees) that the bor-
7 rower owes on such loans.

8 “(c) METHODS OF REPAYMENT.—In repaying an an-
9 nual repayment amount owed by a borrower for a taxable
10 year, a borrower—

11 “(1) shall, with respect to any wages earned by
12 the borrower that are subject to Federal income tax
13 withholding, have amounts withheld upon such
14 wages under section 499D(b)(2); and

15 “(2) may—

16 “(A) in the case of a borrower who makes
17 quarterly estimated tax return payments under
18 section 6654 of the Internal Revenue Code of
19 1986 for the year, pay such annual repayment
20 amount concurrently with such quarterly pay-
21 ments under section 499D(b)(3);

22 “(B) make direct payments under section
23 499E(4) on such amount to the Secretary
24 throughout the year; or

1 “(C) have other individuals or entities
2 make payments under section 499E(5) on the
3 borrower’s annual repayment amount for the
4 year.

5 “(d) ORDER OF CREDITING.—Payments on loans
6 made under this part shall be applied, without regard to
7 the method of such payments, first toward penalties due
8 on the loans, next toward any fees due on the loans, then
9 toward any interest due on the loans, and finally toward
10 the principal due on the loan with the highest applicable
11 rate of interest among such loans.

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

17 “(f) UNDERPAYMENTS.—

18 “(1) PENALTIES FOR UNDERPAYMENTS.—

19 “(A) IN GENERAL.—Subject to subpara-
20 graph (C), if, as of the last day of a taxable
21 year, a borrower has not paid at least 90 per-
22 cent of the borrower’s annual repayment
23 amount for such year, the borrower shall be
24 charged a penalty in an amount equal to 10
25 percent of the difference between—

1 “(i) an amount equal to 90 percent of
2 the borrower’s annual repayment amount
3 for such year; and

4 “(ii) the amount paid on such annual
5 repayment amount as of such day.

6 “(B) INCREASE OF ANNUAL REPAYMENT
7 AMOUNT.—A borrower’s annual repayment
8 amount calculated under subsection (b) for such
9 year shall be increased by the amount of such
10 penalty, but such penalty shall not be treated as
11 a principal or interest amount for a loan made
12 under this part.

13 “(C) EXCEPTION.—A borrower who has
14 paid 100 percent of the borrower’s annual re-
15 payment amount for the taxable year preceding
16 the taxable year described in subparagraph (A)
17 shall not be subject to the penalty under this
18 paragraph for the taxable year described in sub-
19 paragraph (A).

20 “(2) RECONCILING UNDERPAYMENTS.—

21 “(A) IN GENERAL.—If, as of the last day
22 of a taxable year, the sum of the payments
23 made on a borrower’s annual repayment
24 amount for such year is less than the total

1 amount of the borrower's annual repayment
2 amount for such year, the borrower shall—

3 “(i) within the 30-day period begin-
4 ning on the date of receipt by the borrower
5 of the borrower's annual statement de-
6 scribed in section 499E(3) for such year,
7 pay to the Secretary an amount equal to
8 the difference between such amounts; or

9 “(ii) if a borrower fails to pay the
10 amount owed by the borrower as calculated
11 under clause (i) within the 30-day period,
12 be charged a penalty equal to 2 percent of
13 such amount for each month (prorated
14 based on the percentage of a month such
15 penalty is charged) that such amount is
16 owed or until the borrower defaults on the
17 loan for which such amount is owed,
18 whichever occurs first.

19 “(B) DEFAULT.—A loan for which an
20 amount is owed under subparagraph (A) and
21 that is not paid within 360 days after the date
22 of receipt by the borrower of the borrower's an-
23 nual statement described in subparagraph (A)
24 shall be considered to be default.

1 “(g) OVERPAYMENTS.—If, as of the last day of a tax-
 2 able year, the sum of the payments made on a borrower’s
 3 annual repayment amount for such year is greater than
 4 the total amount of the borrower’s annual repayment
 5 amount for such year, the Secretary shall—

6 “(1) refund the overpayment amount, if the
 7 borrower notifies the Secretary, within the 90-day
 8 period beginning on the date of receipt of the bor-
 9 rower’s annual statement described in section
 10 499E(3) for such year and in a manner prescribed
 11 by the Secretary, that the borrower desires to have
 12 the overpayment amount refunded; or

13 “(2) if a borrower fails to notify the Secretary
 14 of the borrower’s desire for a refund of such amount
 15 within such 90-day period, apply such amount as a
 16 prepayment to the borrower’s loans made under this
 17 part in the same manner as a prepayment author-
 18 ized under subsection (e).”.

19 **SEC. 4. CONFORMING CHANGES TO THE HIGHER EDU-**
 20 **CATION ACT OF 1965.**

21 (a) LOAN FORGIVENESS AND CANCELLATION FOR
 22 TEACHERS.—

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

1 (A) in subsection (b), by inserting “or for
2 an IDEA loan made under part J,” after “or
3 428H,”; and

4 (B) in subsection (c)—

5 (i) in paragraph (1), by inserting “or
6 an IDEA loan made under part J” after
7 “or 428H”; or

8 (ii) in paragraph (2)—

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

11 “(A) LOANS MADE UNDER SECTION
12 428C.—A loan”; and

13 (II) by adding at the end the fol-
14 lowing new subparagraph:

15 “(B) IDEA CONSOLIDATION LOAN.—A
16 loan amount for an IDEA Consolidation Loan
17 may be a qualified loan amount for purposes of
18 this subsection only to the extent that such loan
19 amount was used to repay a Federal Direct
20 Stafford Loan, a Federal Direct Consolidation
21 Loan, a Federal Direct Unsubsidized Stafford
22 Loan, or a loan made under section 428, 428C,
23 or 428H.”.

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

4 (A) in subsection (b), by inserting “or for
5 an IDEA loan made under part J” after
6 “under this part”;

7 (B) in subsection (c)—

8 (i) in paragraph (1), by striking “or a
9 Federal Direct Unsubsidized Stafford
10 Loan” and inserting “, a Federal Direct
11 Unsubsidized Stafford Loan, or an IDEA
12 loan made under part J”; and

13 (ii) in paragraph (2)—

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

16 “(A) FEDERAL DIRECT CONSOLIDATION
17 LOAN.—A loan”; and

18 (II) by adding at the end the fol-
19 lowing new subparagraph:

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

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

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

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

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

11 (3) by adding at the end the following new sub-
12 paragraph:

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

15 (c) LOAN REPAYMENT FOR CIVIL LEGAL ASSIST-
16 ANCE ATTORNEYS.—Section 428L(b)(2)(A) of such Act
17 (20 U.S.C. 1078–12(b)(2)(A)) is amended—

18 (1) in clause (1), by striking “or part E” and
19 inserting “, part E, or part J”; and

20 (2) in clause (ii)—

21 (A) in the matter preceding subclause (I),
22 by striking “or 455(g)” and inserting “, 455(g),
23 or 499C”;

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

1 (C) by redesignating subclause (III) as
2 subclause (IV); and

3 (D) by inserting after subclause (II) the
4 following:

5 “(III) a Federal Direct Consoli-
6 dation loan or a loan made under sec-
7 tion 428C, in the case of a loan made
8 under section 499C; or”.

9 (d) MASTER PROMISSORY NOTE.—Section
10 432(m)(1)(D) of such Act (20 U.S.C. 1082(m)(1)(D)) is
11 amended—

12 (1) by striking “this part and part D” each
13 place it appears and by inserting “this part, part D,
14 and part J”; and

15 (2) by striking “this part or part D” each place
16 it appears and by inserting “this part, part D, or
17 part J”.

18 (e) CONTRACTS.—Section 456 of such Act (20 U.S.C.
19 1087f) is amended—

20 (1) in subsection (a)—

21 (A) in paragraph (2), by striking “this
22 part” each place it appears and inserting “this
23 part or part J”; and

24 (B) in paragraph (4), by inserting “or part
25 J” after “this part”; and

1 (2) in subsection (b)—

2 (A) in paragraph (1), by inserting “or the
3 program under part J” after “(or their par-
4 ents)”;

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

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

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

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

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

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

18 (g) STUDENT ELIGIBILITY.—Section 484 of such Act
19 (20 U.S.C. 1091) is amended—

20 (1) in subsection (b)—

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

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

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

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

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

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

11 (1) in subsection (a)—

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

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

17 (2) in subsection (b)—

18 (A) in paragraph (1)(A)—

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

22 (ii) in clause (vii)—

23 (I) by inserting “or an IDEA
24 Consolidation Loan” after “Federal
25 Direct Consolidation Loan”; and

1 (II) by striking “and E” and in-
2 serting “E, and J”; and

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

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

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

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

12 Section 435(i) of the Social Security Act (42 U.S.C.
13 653(i)) is amended by adding at the end the following new
14 paragraph:

15 “(5) SENDING NOTICE TO BORROWERS OF CER-
16 TAIN STUDENT LOANS.—The Secretary of Education
17 shall have access to the information in the National
18 Directory of New Hires for purposes of, on at least
19 a monthly basis—

20 “(A) determining when individuals with an
21 IDEA Loan or IDEA Consolidation loan made
22 under part J of title IV of the Higher Edu-
23 cation Act of 1965 in repayment status are
24 hired by employers who are making payments
25 of wages to such individuals; and

1 “(B) sending a notice to each such indi-
2 vidual to remind such individual that—

3 “(i) the individual has 1 or more
4 loans described in subparagraph (A) in re-
5 payment status;

6 “(ii) the individual is responsible for
7 providing accurate information to the indi-
8 vidual’s employer to ensure that the em-
9 ployer will deduct and withhold upon such
10 wages amounts to repay such loans in ac-
11 cordance with section 499D(b) of the
12 Earnings Contingent Education Loans Act
13 of 2012; and

14 “(iii) failure to provide such accurate
15 information will likely result in significant
16 penalties, default, or collections pro-
17 ceedings.”.

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

19 (a) IN GENERAL.—Subsection (a) of section 6051 of
20 the Internal Revenue Code of 1986 is amended by striking
21 “and” at the end of paragraph (13), by striking the period
22 at the end of paragraph (14) and inserting “, and”, and
23 by inserting after paragraph (14) the following new para-
24 graph:

1 “(15) 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.—Subsection (l) of section 6103 of
12 the Internal Revenue Code of 1986 is amended by adding
13 at the end 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.

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