

115TH CONGRESS  
2D SESSION

# S. 3124

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

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IN THE SENATE OF THE UNITED STATES

JUNE 25, 2018

Ms. HEITKAMP (for herself and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

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

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Help Encourage a  
5 Lifetime of Public Service Act”.

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

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

1           (1) by redesignating subsections (n), (o), (p),  
2           and (q), as subsections (o), (p), (q), and (r), respec-  
3           tively;

4           (2) in subsection (m)(3)—

5           (A) in subparagraph (B)—

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

8           (ii) in clause (ii), by striking the pe-  
9           riod at the end and inserting a semicolon;  
10          and

11          (iii) by adding at the end the fol-  
12          lowing:

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

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

19          (B) by adding at the end the following:

20           “(C) QUALIFIED FARM OR RANCH.—The  
21           term ‘qualified farm or ranch’ means, with re-  
22           spect to a year, a farm or ranch whose earnings  
23           of gross revenue during the year from the sale  
24           of agricultural products are equal to or greater  
25           than—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1           “(A) ELIGIBLE PUBLIC SERVANT.—The  
2 term ‘eligible public servant’ means an indi-  
3 vidual who—

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

6           “(ii) is a qualified volunteer first re-  
7 sponder; or

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

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

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

20           “(D) QUALIFIED VOLUNTEER FIRST RE-  
21 SPONDER.—

22           “(i) IN GENERAL.—The term ‘quali-  
23 fied volunteer first responder’ means an in-  
24 dividual who volunteers to perform services  
25 on not less than the basis determined by

1 the Secretary under clause (ii) for a public  
2 safety organization (which may include  
3 firefighters, law enforcement officers,  
4 emergency medical personnel, or other first  
5 responders to emergencies) and is certified  
6 as a firefighter, law enforcement officer,  
7 emergency medical services provider, or  
8 other responder in the State, unit of gen-  
9 eral local government, Indian tribe, or non-  
10 profit organization in which the individual  
11 serves and receives no compensation for  
12 such service or is paid expenses, reasonable  
13 benefits, or a nominal fee to perform the  
14 services.

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

18 “(I) determine the minimum vol-  
19 unteer time required for a qualified  
20 volunteer first responder to be treated  
21 as an individual employed in a full-  
22 time job for purposes of this sub-  
23 section and subsection (m); and

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

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

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

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

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

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