



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE UNDER SECRETARY

October 10, 2018

Honorable Tim Kaine
United States Senate
Washington, DC 20510

Dear Senator Kaine:

Thank you for your June 19, 2018, letter to Secretary Betsy DeVos regarding the Temporary Expanded Public Service Loan Forgiveness (TEPSLF) opportunity. Your letter was referred to my office, and I am pleased to respond. An identical response is being sent to the cosigners of your letter.

In your letter, you disagreed with the Department's action in requiring those borrowers who believe that they are eligible for TEPSLF to first apply for Public Service Loan Forgiveness (PSLF) and be denied that benefit before seeking the TEPSLF benefit. However, Section 315 of the Consolidated Appropriations Act, 2018 (the Act) specifies that the TEPSLF benefit is for those borrowers who do not qualify for PSLF because they made some or all of their payments on a nonqualifying repayment plan.¹

To implement these eligibility requirements and to comply with the statutory requirement that this new opportunity be available to borrowers within 60 days of enactment of the Act, we determined that the most efficient methodology to determine whether a borrower was not eligible for PSLF was to rely on existing methods to determine borrowers' eligibility for PSLF—i.e., requiring borrowers to apply for PSLF and be denied that benefit.

Currently, to request consideration for the TEPSLF opportunity the borrower sends a simple e-mail to the Department. On the website we clarified that this opportunity is temporary, has limited funding, and is provided to borrowers on a first-come, first-served basis until the appropriated funds are fully committed.

You also raised concerns with the Department's communications to borrowers who submitted an e-mail requesting consideration for the TEPSLF opportunity, but who did not qualify for consideration because they had not yet applied for PSLF. We recently modified this communication to specifically inform borrowers that they can submit another e-mail seeking to request consideration for the TEPSLF opportunity after they have applied for PSLF.

¹ “[...] for borrowers of loans made under part D of title IV of such Act who would qualify for loan cancellation under section 455(m) except some, or all, of the 120 required payments under section 455(m)(1)(A) do not qualify for purposes of the program because [...]”

You also indicated that you believe the Department's website incorrectly stated that a borrower must have applied for and been denied PSLF to be considered for the TEPSLF opportunity. We have added and revised the information on the website to clarify that borrowers seeking to be *considered* do not need to wait for their PSLF applications to be denied before sending an e-mail requesting consideration for the TEPSLF opportunity. Borrowers who have a PSLF application that is pending at the time they send an e-mail requesting consideration for the TEPSLF opportunity will have their place in the TEPSLF queue held pending a decision on their PSLF application.

With respect to the outreach that is described under Section 316 of the Consolidated Appropriations Act, 2018, the Department has conducted outreach to date in the following ways:

- Posted announcements to the Department's StudentAid.gov, FinancialAidToolkit.ed.gov and the Information for Financial Aid Professionals websites;
- Posted content about TEPSLF on StudentAid.gov, specifically at StudentAid.gov/publicservice and StudentAid.gov/TEPSLF; and
- Conducted a targeted e-mail campaign to borrowers who were denied PSLF because they had not made 120 qualifying payments at the time they applied.

The Department intends to conduct further outreach to Direct Loan borrowers after it has implemented an online tool to assist borrowers with completing Employment Certification Forms and PSLF applications. Presently, the Department anticipates that this online tool will be implemented by the end of calendar year 2018.

The additional outreach that the Department plans to conduct upon the implementation of the online solution includes:


- A segmented e-mail campaign to all Direct Loan borrowers sharing information about loan repayment options and PSLF;
- Social media posts;
- Digital engagement (such as Facebook and Twitter);
- Interactive content, graphics, and images to support PSLF (such as infographics, images for StudentAid.gov);
- Blog posts;
- Webinars and outreach events; and
- Borrower engagement through membership- or employment-based organizations (such as the Federal, State, or local governments) by providing such organizations with content highlighting loan repayment options and PSLF that they can use in communications to borrowers.

As of September 28, 2018, out of 28,207 requests for TEPSLF consideration, 77 percent (21,672) were found not eligible for further review. Approximately 23 percent (6,535) of requests were found eligible for further review. Of the 6,535 requests found eligible for further review, about 50 percent have been denied as a result of such further review. The most common reasons for denials, to date, include: (1) loans have not been in repayment for 10 years; (2) loans

are not eligible for forgiveness; and (3) borrowers lack 10 years of certified employment. Other requests remain under review. We will report information on requests that are approved when there are a sufficient number that helps mitigate the risk of inadvertent disclosure of personally identifiable information.

If you have additional questions or concerns, please contact the Office of Legislation and Congressional Affairs at (202) 401-0020.

Sincerely,

A handwritten signature in black ink that reads "Michael Brickman" with a long, sweeping horizontal line extending to the right.

Michael Brickman for
Diane Auer Jones
Principal Deputy Under Secretary
Delegated the Duties of Under Secretary