NCHER COMMENTS Proposed Changes: Loan Discharge Applications (DL/FFEL/Perkins) Federal Register Notice Published 4/24/2014 60-Day Comment Period

Substantive comments are those with bold and highlight in the left column.

			Recommendations		
#	Section	Comment	Proposed Language	Rationale	ED Response
			SCHOOL CLOSURE		
1	Section 1—Borrower Identification	Revise as noted.	City, State, Zip <u>Code</u>	Consistency with common forms	Accept.
2	Section 2—Item 1	Revise as noted.	 Are <u>yY</u>ou are applying for this loan discharge as a: student or parent borrower? Student <u>borrower</u> – Skip to Item 4Error: Reference source not found. Parent <u>borrower</u> – Continue to Item 2. 	Consistency within the 5 discharge forms. Some of these forms show item 1 as a question and some show item 1 as a statement.	Accept.
3	Section 2—Item 5	Revise as noted.	5. Closed School Address (street, city, state, zip <u>code</u>):	Consistency with common forms.	Reject. Spacing is paramount in these forms and there was insufficient space to accommodate the addition of the word "code" without affecting pagination.
4	Section 2—Items 9 and 10	Revise as noted.	 9. Were you on an approved leave of absence when the school closed? Yes — Continue to Item 10, then skip to Item 17. Provide the dates of the leave of absence, then skip to Item 17. 	Combining Item 10 with Item 9 provides form efficiency. All items that follow in Section 2 will need to be renumbered as applicable.	Accept.
5	Section 2—Item 12	Revise as noted.	 12. Did you (or, for a parent PLUS borrower, the student) withdraw from the school before the school closed? Yes- SkipContinue to Item 17 13. No - ContinueSkip to Item 13 17. 	Corrections.	Accept.

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6	Section 2—Item 14	Revise as noted.	 14. Did you (or, for a parent PLUS borrower, the student) complete or are you in the process of completing the same or comparable program of study at another school? Yes- ComplenteContinue to Items 15and 16, then continue to Item 17 	If the borrower is instructed to continue to Item 15, then logically, 16 and 17 would follow.	Accept.		
			\square No – Skip to Item 17				
7	Section 2—Item 15	Revise as noted.	 15. Did the other school give you (or, for a parent PLUS borrower, the student) credit for training received at the closed school by allowing transfer credits or hours earned at the closed school, or by any other means? Yes- Continue to Item 16. No- Continue to Item 16. 	The borrower should logically know to continue to the next item.	Reject. A borrower who received credit for work at the closed school is not eligible for a closed school discharge. Therefore, the "skip logic" for a "yes" response should be revised. In addition, though it may be "logical" for a borrower to continue to the next item, adding instructions helps make it explicit, particularly when the other response choice has instructions associated with it.		
8	Section 2—Item 17	Revise as noted.	 17. Did the holder of your loan receive any money back (a refund) from the closed school on your behalf? Yes- Continue to Items-18-19. No - Skip to Item 20 Don't Know - Skip to Item 20 	If the borrower is directed to item 18 with a 'Yes' answer, it should follow that they will progress to Item 19.	Reject. What was Item 18 contains no skip logic. It is helpful for borrowers to understand which questions they are required to answer.		
9	Section 2—Item 20	Revise as noted.	 20. Did you (or, for a parent PLUS borrower, the student) make any monetary claim with, or receive any payment from, the school or any third party (see definition in Section 6) in connection with enrollment or attendance at the school? Yes – Continue to Items 2123. No – Submit this form to the loan holder in Section 87. Don't Know – Submit this form to the loan holder in Section 87. 	If the borrower is directed to Item 21 with a 'Yes' answer, it should follow that they will progress to items 22 and 23.	Reject as to the revision to answer "yes". What was Item 21-22 contains no skip logic. It is helpful for borrowers to understand which questions they are required to answer.		
10	Section 2—Item 21	Revise as noted.	 21. What is the name, address, and phone number of the party with whom the claim was made or from whom payment was received? a. Name:	Consistency with common forms.	Accept.		

	Recommendations						
#	Section	Comment	Proposed Language	Rationale	ED Response		
11	Section 2—Item 22	Revise as noted.	 22. What areis the amount and the status of the claim? a. Amount: \$	Grammatical correction.	Accept.		
12	Section 3—1 st bullet, Item 2	Revise as noted.	(2) I (or, if I am a parent PLUS borrower, the student) was enrolled at the school identified in Section 2 or on an <i>approved</i> leave of absence on the date that the school closed, or withdrew from the school not more than <u>90 days</u> (for a school that closed prior to July 1, 2014) or 120 days (for a school that closed on or after July 1, 2014) before it closed (or longer if the Department determines that exceptional circumstances related to the school's closing justify an extension of this 120-day period), and could not complete the program of study;	Adding this information provides transparency for the borrower. Our understanding is that the November 1, 2013 Final Rule for closed school discharge is prospective and not retroactive and the effective date trigger event for this change is applications received for school closures that occurred on or after July 1, 2014.	The effective date of the new closed school discharge regulations is for applications received on/after July 1, 2014, and because this form will only be in use after July 1, 2014, continued references to a 90-day withdraw window are unnecessary.		
13	Section 3—1 st bullet, Items 3, 4, and 5	Revise as noted.	(3) Due to school closure, I (or, if I am a parent PLUS borrower, the student) did not complete and am not in the process of completing the program or <u>a</u> comparable program of study in which I was enrolled at the closed school at another school by transferring credits or hours earned at the closed school to another school, or by any other means by which I (or, if I am a parent PLUS borrower, the student) benefitted from training provided by the closed school; (4) I have read and agree to the terms and conditions for loan discharge, as specified in Section 76 ; (5) Under the penalty of perjury, all of the information I have provided on this application and in any accompanying documentation is true and accurate to the best of my knowledge and belief.	Corrections and common usage.	Accept.		
14	Section 5 heading	Revise as noted.	SECTION 54: INSTRUCTIONS FOR COMPLETING THE FORM	Correction.	Accept.		
15	Section 5—last sentence.	Revise as noted.	Return the completed form and any attachments to the address shown in Section 87.	Correction.	Accept.		
16	Section 6 heading	Revise as noted.	SECTION 65: DEFINITIONS	Correction.	Accept.		
17	Section 6—6 th bullet	Revise as noted.	 The holder of your Direct Loan Program loan(s) is the U.S Department of Education (the Department). 	The 'U.S. Department of Education' was previously defined in Section 3.	Accept.		
18	Section 6—8 th bullet	Revise as noted.	 The student (as in, "or, for parent PLUS borrowers, the student") refers to the student for whom a parent borrower obtained a Direct PLUS Loan or Federal PLUS Loan. 	Remove unneeded text. Consistency with common forms.	Accept.		
19	Section 7 heading	Revise as noted.	SECTION 76: TERMS AND CONDITIONS FOR LOAN		Accept.		

			Recommendations			
#	Section	Comment	Proposed Language	Rationale	ED Response	
			DISCHARGE BASED ON SCHOOL CLOSURE			
20	Section 7—insert new 1 st bullet	Revise as noted.	I received each loan for which I am requesting a discharge on or after January 1, 1986. I received the funds directly, or they were applied as a credit to my (or, for parent PLUS borrowers, the student's) school account to pay the amount owed to the school.	Language pertaining to loans made on or after 1/1/86 should still be included. While it may be less common to see loans prior to this date, it is still relevant to the discharge process.	Accept in part. Section 6 was changed to the second person to be consistent with other loan servicing forms. In addition, the second sentence is not needed because it is already a certification. Furthermore, the bullet in Section 6 containing information about perjury is not necessary because it is also a certification.	
21	Section 7—1 st bullet	Revise as noted.	 I will provide, upon request, testimony, a sworn statement, or other documentation reasonably available to me that demonstrates to the satisfactory satisfaction of the U.S Department of Education (the Department) or its designee that I meet the qualifications for loan discharge based on school closure, or that supports any representation that I made on this form or any accompanying documents. 	Correction. Also, 'the Department' was previously defined in Section 3.	Accept.	
22	Section 8 heading	Revise as noted.	SECTION 87: WHERE TO SEND THE COMPLETED REQUEST	Correction.	Accept.	
23	Section 8 parentheticals	Revise as noted.	(If no address is shown, return to your loan servicer holder .) (If no telephone number is shown, call your loan servicer -holder.)	Consistency with other common forms. Reference to "loan holder" is more applicable than interjecting "servicer "in this section. "Loan holder" is used elsewhere and there is a definition of loan holder.	Accept.	
24	Section 9 heading	Revise as noted.	SECTION 98: IMPORTANT NOTICES	Correction.	Accept.	
25	Section 9—2 nd paragraph	Revise as noted.	The principal purposes for collecting the information on this form, including your SSN, are to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan (such as a deferment, forbearance, discharge, or forgiveness) under the FFEL, and/or Direct Loan, and/or Perkins Loan Programs, to permit the servicing of your loan(s), and, if it becomes necessary, to locate you and to collect and report on your loan(s) if your loan(s) becomes delinquent or defaults. We also use your SSN as an account identifier and to permit you to access your account information electronically.	Correction. Add omitted Ioan program.	Accept.	
<mark>26</mark>	Section 9— Paperwork Reduction Notice.	Revise as noted.	Paperwork Reduction Notice. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collectionit displays a valid OMB control number. The valid OMB control number for this- information collection is 1845-0058. Public reporting burden for	To add needed information and for consistency with common forms and to correct the section that the borrower is referred to. Formatting changes made to separate the last	Reject. This is new language that will gradually be implemented in our forms.	

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			this collection of information is estimated to average <u>0.5 hours</u> (30 minutes) per response, including <u>the</u> time for reviewing instructions, searching existing data <u>re</u> sources, gathering and maintaining the data needed, and completing and reviewing the <u>collection of</u> information <u>collection</u> . The <u>Individuals are</u> obligation <u>ed</u> to respond to this collection is <u>required</u> to obtain or- retain a benefit in accordance with (34 CFR 682.402(e)(3), or 685.215(c)). Send comments regarding the burden estimate(s) or any other aspect of this collection of information, including suggestions for reducing this burden to the U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20210- 4537 or e-mail ICDocketMGR@ed.gov and reference OMB Control Number 1845-0058. Note: Please do not return the completed form to this address.	paragraph from the Paperwork Reduction Notice paragraph.	
1	Section 1	Revise as noted.	ABILITY TO BENEFIT City, State, Zip <u>Code</u>	Consistency with other forms.	Accept.
-			ory, state, zip <u>code</u>		
2	Section 2 heading	Revise as noted.	SECTION 2: ABILITY TO BENEFIT INFOMRMATION	Correction.	Accept.
3	Section 2—Item 1	Revise as noted.	 Are <u>yY</u>ou <u>are</u> applying for this loan discharge as a<u>:</u> student- or parent borrower? Student <u>borrower</u> – Skip to Item 4. Parent <u>borrower</u> – Continue to Item 2. 	Consistency within the 5 discharge forms. Some of these forms show item 1 as a question and some show item 1 as a statement.	Accept.
4	Section 2—Items 4 and 5	Revise as noted.	 4. Did or-you (or, for a Pparent PLUS borrower, the student), prior to July 1, 2012, attend a postsecondary school prior to July 1, 2012? Yes - Skip to Item 6 No - Continue to Item . 5. Did you (or, for a Parent PLUS borrower, the student), prior to July 1, 2012, or officially register at a postsecondary school <u>at which and are/were</u> you (or, for a Parent PLUS borrower, the student) were scheduled to attend a program at that schoolof study? Yes - Continue to Item 6 No - You are not eligible for this discharge. 	Combining Item 4 with Item 5 provides form efficiency and is less confusing for the borrower.	Reject. The proposed addition is more confusing to the borrower. It requires the borrower to construe multiple conditions together and answer the question correctly by understanding the significant of the operator "or".

	Recommendations							
#	Section	Comment	Proposed Language	Rationale	ED Response			
5	Section 2—Items 6 and 7.	Revise as noted.	 6. Is the postsecondary school you (or, for a Parent PLUS-borrower, the student) attended the same institution that you attended when you received the loan you are requesting be-discharged? Yes - Skip to Item 8 No - Continue to Item Error: Reference source not found- 	Combining Item 6 and Item 7 provides form efficiency and is less confusing for the borrower.	Reject in part. The modification would be more confusing for the borrower. Moreover, the gained efficiency is insufficient to offset the increased confusion. Accept modification to address field description.			
			 75. If the postsecondary school attended prior to July 1, 2012 is different from the one that was attended when you received the loan you are attempting to have discharged, Pprovide the following information about the postsecondaryprior school-referenced in Item 4 or 5:. Otherwise, leave blank and continue to Item 6. a. School Name: b. School Address (street, city, state, zip code): 	Consistency among common forms.				
6	Section 2, items 8 - 11	Revise as noted.	 8. On what date did you (or, for a Parent PLUS borrower, the student) begin attendance at the postsecondary institution in Item 4. or ? 9. School Name: 9. School Address (street, city, state, zip code): 10. School Address (street, city, state, zip code): 11. Dates of attendance at the school: 12. Dates of attendance at the school: 13. Dates of attendance at the school: 14. Dates of attendance at the school: 15. Dates of attendance at the school: 16. Provide the following information regarding the school of attendance at the time you received the loan you are requesting be discharged. a. School Name: 	Reformatting Items 8 through 11 provides form efficiency.	Reject. The modification to the indentation provides for less form efficiency.			

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			b. <u>School Address (street, city, state, zip code):</u>		
			c. <u>Dates of attendance at the school:</u> 		
			d. <u>Name of the program of study that you (or, for a parent PLUS borrower, the student) were enrolled in at the school:</u>		
7	Section 2 heading	Revise as noted.	SECTION 2: ABILITY TO BENEFIT INFOMRMATION (CONTINUED)	Correction.	Accept.
8	Section 2—item 13	Revise as noted.	137 . Did you (or, for a parent PLUS borrower, the student) have a high school diploma or GED at the time of enrollment at the school?	Renumbering items, as applicable due to revisions above.	Reject. See above.
9	Section 2—item 14	Revise as noted.	148 . Did you (or, for a parent PLUS borrower, the student) receive a GED before completing the program?	Renumbering items, as applicable due to revisions above.	Reject. See above.
10	Section 2—Item 15	Revise as noted.	15. When did you first enroll in a postsecondary school?	Removing unnecessary information.	Reject. Please explain during the 30-day comment period why this information is unnecessary.
11	Section 2—Item 16	Revise as noted.	 169. Before you (or, for a parent PLUS borrower, the student) were admitted to the school, did the school give an entrance examination? Yes - Continue to Items 17 10 - 2013. No - Skip to Item 2215. 	To correct item numbering due to suggested changes and punctuation for consistency.	Reject numbering changes (see above). Accept punctuation changes.
			Don't <u>kK</u> now – Skip to Item 22<u>15.</u>	Consistency.	
12	Section 2—Items 17 through 19.	Revise numbering.		Renumber draft Items 17 through 19 to Items 10 through 12 due to suggested changes.	Reject. See above.
13	Section 2—Item 20	Renumber Item 20 to Item 13 and revise as noted.	2013 . Did anything appear improper about the way the test was given or scored? □ Yes - Continue to Items 21 - 2214 -15. □ No - Skip to Item 2215.	To correct item numbering due to suggested changes and punctuation for consistency.	Reject numbering changes (see above). Accept punctuation changes.
14	Section 2—Item 21	Renumber Item 21 to Item 14.			Reject. See above.
15	Section 2—Item 22	Revise as noted.	 2215. Provide the following about anyone who can support your statement: b. Address (street, city, state, zip code): 	To correct item numbering due to suggested changes and for consistency with other common forms.	Reject numbering changes (see above). Accept other changes.
16	Section 2—Item 23	Revise as noted.	2316. Did you (or, for a parent PLUS borrower, the student)	To correct item numbering due to	Reject numbering changes (see

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			complete a developmental or remedial program at the school? Yes – Continue to Items 24 – 27 <u>17</u> – <u>20.</u>	suggested changes and punctuation for consistency.	above). Accept other changes.
			No – Skip to Item 2821. Don't <u>kK</u> now – Skip to Item 28 <u>21.</u>	Consistency.	
17	Section 2—Items 24 through 28	Renumber Items 24 through 28 as Items 17 through 21.			Reject. See above.
18	Section 2—Item 29	Revise as noted.	 2922. Did the holder of your loan receive any money back (a refund) from the school on your behalf? Yes – Continue to Items 30 – 31 23 –24. No – Skip to Item 3225. Don't kKnow – Skip to Item 3225. 	To correct item numbering due to suggested changes and punctuation for consistency. Consistency.	Reject numbering changes (see above). Accept other changes.
19	Section 2—Items 30 and 31	Renumber Items 30 and 31 to 23 and 24.			Reject. See above.
20	Section 2—Item 32	Revise as noted.	 3225. Did you (or, for a parent PLUS borrower, the student) make any monetary claim with, or receive any payment from, the school or any third party (see definition in Section 64) in connection with enrollment or attendance at the school? Yes – Continue to Items 33 – 35 26 - 28. No – Submit this form. Don't Know – Submit this form. 	Correction. To correct item numbering due to suggested changes and punctuation for consistency.	Reject numbering changes (see above). Accept other changes.
21	Section 2—Item 33	Renumber draft Item 33 to 26 and revise as noted.	 3326. What is the name, address, and phone number of the party with whom the claim was made or from whom payment was received? a. Name:	To correct item numbering due to suggested changes and for consistency with other common forms.	Reject numbering changes (see above). Accept other changes.
22	Section 2—Item 34	Revise as noted.	3427. What are is the amount and the status of the claim?	Correction.	Accept.
23	Section 2—Item 35	Renumber Item 35 to 28.			Reject. See above.
24	Section 31 st bullet.	Revise as noted.	 I certify that— I have read and agree to the terms and conditions for loan discharge, as specified in Section 75. Under the penalty of perjury, all of the information I have provided on this application and in any accompanying documentation is true and accurate to 	Correction and common usage.	Accept.

			Recommendations		
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			the best of my knowledge and belief.		
25	Section 3—2 nd bullet	Revise as noted.	 I hereby assign and transfer to the U.S Department of Education (the Department) andy right to a refund on the amount discharged that I may have from the school identified in Section 2 of this form and/or any owners, affiliates, or assignees of the school, and from any third party that may pay claims for a refund because of the actions of the school, up to the amount discharged by the Department on my loan(s). 	Correction. Also, first occurrence of 'the Department' should be defined with the long form.	Accept.
26	Section 5	Revise as noted. In addition, place a space following "Borrower Signature" prior to this section.	SECTION 54: DEFINITIONS	Corrections.	Accept.
27	Section 5—3 rd bullet	Revise as noted.	 The holder of your Direct Loan Program loan(s) is the U.S. Department of Education (the Department). 	Assuming the change to Section 3 is made as suggested, 'the Department' will have been referenced.	Accept.
28	Section 5—4 th bullet	Revise as noted.	 Loan discharge due to false certification of ability to benefit cancels your obligation (and any endorser's obligation, if applicable) to repay the remaining portion on a Direct Loan or FFEL Program loan, and qualifies you for reimbursement of any amounts paid voluntarily or through forced collection on the loan. 	Correction.	Accept.
29	Section 5-5 th bullet	Revise as noted.	 The student (as in, "or, for parent PLUS borrowers, the student") refers to the student for whom a parent borrower obtained a Federal PLUS Loan or Direct PLUS Loan or Federal PLUS Loan. 	To remove unneeded language and for consistency.	Accept.
30	Section 6 heading	Revise as noted.	SECTION 65: TERMS AND CONDITIONS FOR LOAN DISCHARGE BASED ON FALSE CERTIFICATION	Correction.	Accept.
31	Section 6—insert a new 1 st bullet	Revise as noted.	 <u>I received each loan for which I am requesting a discharge</u> on or after January 1, 1986. I received the funds directly, or they were applied as a credit to my (or, for parent PLUS borrowers, the student's) school account to pay the amount owed to the school. 	Language pertaining to loans made on or after 1/1/86 should still be included. While it may be less common to see loans prior to this date, it is still relevant to the discharge process.	Accept in part. See above.
32	Section 6—1 st bullet	Revise as noted.	 I will provide, upon request, testimony, a sworn statement, or other documentation reasonably available to me that demonstrates to the satisfactoryion of the U.S. Department of Education (the Department) or its designee that I meet the qualifications for loan discharge based on false certification, or that supports any representation that I made on this form or any accompanying documents. 	Correction. Also, 'the Department' will have been defined in Section 3 as previously suggested.	Accept.

			Recommendations		
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33	Section 4	Revise as noted. In addition, bold the underline border below this line.	SECTION 46: INSTRUCTIONS FOR COMPLETING THE FORM	Correction.	Accept.
34	Section 7.	Revise as noted.	(If no address is shown, return to your loan servicer<u>holder</u>.) (If no telephone number is shown, call your loan servicer<u>holder</u>.)	Consistency with other common forms. Reference to "loan holder" is more applicable than interjecting "servicer " in this section. "Loan holder" is used elsewhere and there is a definition loan holder.	Accept.
35	Section 8	Add omitted information to the Paperwork Reduction Notice. Revise as noted.	Paperwork Reduction Notice. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collectionit displays a valid OMB control number. The valid OMB control number for this- information collection is 1845-0058. Public reporting burden for this collection of information is estimated to average <u>0.5 hours</u> (30 minutes) per response, including the time for reviewing instructions, searching existing data resources, gathering and maintaining the data needed, and completing and reviewing the collection of information collection. TheIndividuals are obligationed to respond to this collection is required to obtain or retain a benefit in accordance with (34 CFR 682.402(e)(3), or 685.215(c)). Send comments regarding the burden estimate(s) or any other aspect of this collection of information, including suggestions for reducing this burden to the U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20210- 4537 or e-mail ICDocketMGR@ed.gov and reference OMB Control Number 1845-0058. Note: Please do not return the completed form to this address.	To add needed information and for consistency with common forms and to correct the section that the borrower is referred to. Formatting changes made to separate the last paragraph from the Paperwork Reduction Notice paragraph.	Reject. See above.
			your loan holder (s) (see Section 87) -directly .		
			DISQUALIFYING STATUS		
1	Section 1	Revise as noted.	City, State, Zip Code	Consistency with other common forms.	Accept.
2	Section 2—Item 7	Revise as noted.	(or, for a Pparent PLUS borrower, the student)	Consistency	Accept.
3	Section 2—Item 9, sentence 2	Revise as noted.	 You must also document the state legal requirements for employment that you (or, for a parent PLUS borrower, the student) could not be meet. 	Correction	Accept.
4	Section 2—Item 12	Revise as noted.	 12. Did you (or, for a parent PLUS borrower, the student) make any monetary claim with, or receive any payment from, the school or any third party (see definition in Section 65) in connection with enrollment or attendance at the school? Yes – Continue to Items 16 – 1813. No – Submit this form and documentation to the loan- 	Correction and punctuation. Information should still be gathered from the borrower regarding whether the school made a refund on their behalf.	Accept.

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			holder in Section 8 <u>Skip to Item 16</u> . Don't Know – Submit this form and documentation to the loan holder in Section 8<u>Skip to Item 16</u>.				
5	Section 2—Item 13.b.	Revise as noted.	b. Address: (street, city, state, zip code)	Consistency with other common forms.	Accept.		
6	Section 2—Item 14.	Revise as noted.	14. What areis the amount and the status of the claim?	Grammatical correction.	Accept.		
7	Section 2—Item 16	Revise as noted.	 16. Did the holder of your loan receive any money back (a refund) from the school on your behalf? Yes — Continue to Item <u>1317</u>. No – Skip to ItemSection 153. Don't Know – Skip to ItemSection 153. 	Correction to borrower direction and punctuation for consistency with other common forms. If the borrower answers 'Yes", they should be instructed to continue to Item 17. If the borrower answers 'No' or 'Don't Know' they should be instructed to skip to Section 3, not back to Item 15.	Accept.		
8	Section 3—Heading	Revise as noted.	SECTION 3: BORROWER ASSIGNMENT, CERTIFICATIONS, ASSIGNMENT, AND AUTHORIZATION	Consistency with other common forms.	Accept.		
9	Section 3—First bullet Item 1	Revise as noted.	1. I have read and agree to the terms and conditions for loan discharge, as specified in Section 7 6.	Correction to direct the borrower to proper section.	Accept.		
10	Section 3—First bullet Item 2	Revise as noted.	 Under the penalty of perjury, all of the information I have provided on this application and in any accompanying documentation is true and accurate to the best of my knowledge and belief. 	Common usage.	Accept.		
11	Section 3—2 nd bullet	Revise two items as noted.	 I hereby assign and transfer to the U.S. Department of <u>Education (the Department) andy</u> right to a refund on the amount discharged that I may have from the school identified in Section 2 of this form and/or any owners, affiliates, or assignees of the school, and from any third party that may pay claims for a refund because of the actions of the school, up to the amount discharged by the Department on my loan(s). 	Corrections. Also, first occurrence of 'the Department' should be defined with the long form.	Accept.		
12	Section 5—Section heading	Revise as noted.	SECTION 54: INSTRUCTIONS FOR COMPLETING THE FORM	Correction.	Accept.		
13	Section 5—Last sentence	Revise as noted.	Return the completed form and any attachments to the address shown in Section 87.	Correction.	Accept.		
14	Section 6—Section heading	Revise as noted.	SECTION 65: DEFINITIONS	Correction.	Accept.		
15	Section 6—3 rd bullet.	Revise as noted.	 The holder of your Direct Loan Program loan(s) is the U.S. Department of Education (the Department). The holder of your FFEL Program loan(s) may be a lender, a guaranty 	Correction. Also, if the change to Section 3 is made as suggested, 'the	Accept.		

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			agency, or the Department.	Department' will have been defined.		
16	Section 6— Definitions—4 th bullet	Revise two items as noted.	Loan discharge due to false certification (disqualifying status) cancels your obligation (and any endorser's obligation, if applicable) to repay the remaining portion on a Direct Loan or FFEL Program loan, and qualifies you for reimbursement of any amounts paid voluntarily <u>or</u> th <u>r</u> ough forced collection on the loan.	Corrections for omitted word and spelling.	Accept.	
17	Section 6—5 th bullet	Revise as noted.	 The student (as in, "or, for parent PLUS borrowers, the student") refers to the student for whom a parent borrower obtained a Federal PLUS Loan or Direct PLUS Loan or Federal PLUS Loan. 	To remove unneeded language and for consistency.	Accept.	
18	Section 7—Section number	Revise as noted.	SECTION 76: TERMS AND CONDITIONS FOR LOAN DISCHARGE BASED ON FALSE CERTIFICATION	Correction.	Accept.	
<mark>19</mark>	Section 7—new 1 st bullet	Revise as noted	 I received each loan for which I am requesting a discharge on or after January 1, 1986. I received the funds directly, or they were applied as a credit to my (or, for parent PLUS borrowers, the student's) school account to pay the amount owed to the school. 	Language pertaining to loans made on or after 1/1/86 should still be included. While it may be less common to see loans prior to this date, it is still relevant to the discharge process.	Accept in part. See above.	
20	Section 7—1 st bullet	Revise as noted.	 I will provide, upon request, testimony, a sworn statement, or other documentation reasonably available to me that demonstrates to the satisfactory satisfaction of the U.S Department of Education (the Department) or its designee that I meet the qualifications for loan discharge based on false certification (disqualifying status), or that supports any representation that I made on this form or any accompanying documents. 	Correction and to indicate the type of false certification that the borrower's request is based on. Also, 'the Department' has been defined previously.	Accept.	
21	Section 8—section heading	Revise as noted.	SECTION 87: WHERE TO SEND THE COMPLETED REQUEST	Correction.	Accept.	
22	Section 8	Revise as noted.	(If no address is shown, return to your loan servicer<u>holder</u>.) (If no telephone number is shown, call your loan servicer holder.)	Consistency with other common forms. Reference to "loan holder" is more applicable than interjecting "servicer " in this section. "Loan holder" is used elsewhere and there is a definition loan holder.	Accept.	
23	Section 9—section heading	Revise as noted.	SECTION 98: IMPORTANT NOTICES	Correction.	Accept.	
24	Section 9— Paperwork Reduction Notice	Add omitted information to the notice. Remove unneeded information.	Paperwork Reduction Notice. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collectionit displays a valid OMB control number. The valid OMB control number for this- information collection is 1845-0058. Public reporting burden for this collection of information is estimated to average <u>0.5 hours</u> (30 minutes) per response, including <u>the</u> time for reviewing instructions, searching existing data <u>re</u> sources, gathering and	To add needed information and for consistency with common forms and to correct the section that the borrower is referred to. Formatting changes made to separate the last paragraph from the Paperwork Reduction Notice paragraph.	Reject. See above.	

			Recommendations		
#	Section	Comment	Proposed Language	Rationale	ED Response
			 maintaining the data needed, and completing and reviewing the collection of information collection. TheIndividuals are obligationed to respond to this collection is required to obtain or retain a benefit in accordance with (34 CFR 682.402(e)(3), or 685.215(c)). Send comments regarding the burden estimate(s) or any other aspect of this collection of information, including suggestions for reducing this burden to the U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20210-4537 or e-mail ICDocketMGR@ed.gov_and reference OMB Control Number 1845-0058. Note: Please do not return the completed form to this address. If you have comments or concernsquestions regarding the status of your individual submission of this form, contact your loan holder(s) (see Section 87)-directly. 		
			UNAUTHORIZED SIGNATURE/UNAUTHORIZED PAYMENT		
1	Form Title	Revise as noted.	LOAN DISCHARGE APPLICATION: FALSE CERTIFICATION (UNAUTHORIZED SIGNATURE/UNAUTHOROIZED PAYMENT)	Correction.	Accept.
2	Section 1	Revise as noted.	City, State, Zip <u>Code</u>	Consistency with other common forms.	Accept.
3	Section 2section heading	Revise as noted.	SECTION 2: UNAUTHORIZED SIGNATURE/UNAUTHOROIZED PAYMENT INFORMATION	Correction.	Accept.
4	Section 2—item 8	Revise as noted.	8 Don't <u>kK</u> now – Continue Skip to <u>i</u> ltem 11.	Corrections for consistency with other forms and skip logic.	Accept.
5	Section 2—item 9	Revise as noted.	9. One what date did the school return money or reduce the amount owed?	Correction.	Accept.
6	Section 2 (continued) heading	Revise as noted.	SECTION 2: UNAUTHORIZED SIGNATURE/UNAUTHORORIZED PAYMENT INFORMATION (CONTINUED)	Correction.	Accept.
7	Section 2—item 14	Revise as noted.	 14. Did you (or, for a parent PLUS borrower, the student) make any monetary claim with, or receive any payment from, the school or any third party (see definition in Section 65) in connection with enrollment or attendance at the school? 	Correction.	Accept.
8	Section 2—item 15.b.	Revise as noted.	Address: (street, city, state, zip code)	Consistency.	Accept.
9	Section 2—item 16	Revise as noted.	16. What are is the amount and the status of the claim?	Grammatical.	Accept.
10	Section 2—item 18	Revise as noted.	18. Did the holder of your loan receive any money back	Correction.	Accept.

			Recommendations		
#	Section	Comment	Proposed Language	Rationale	ED Response
			(a refund) from the school on your behalf? Yes – Continue to Items Error: Reference source not found – Error: Reference source not found and submit this form with documentation of your		
11	Section 3 heading	Revise as noted.	signature. No – Submit this form with documentation of your signature. Don't <u>kK</u> now . — Submit this form with documentation of your signature. SECTION 3: BORROWER ASSIGNMENT, CERTIFICATIONS,	Consistency with other common	Accept.
TT	Section 3 heading	Revise as noted.	ASSIGNMENT, AND AUTHORIZATION	forms.	Ассері.
12	Section 3—1 st bullet	Revise as noted.	 I certify that— I am applying for a discharge of my Direct Loan or FFEL Program loan(s) because the loan application, promissory note, combined application/promissory note, loan disbursement check, electronic funds transfer authorization, or master check authorizedation were not authorized for the reasons stated in this application. I did not sign any of the documents I selected in Item 7. I have read and agree to the terms and conditions for loan discharge, as specified in Section 7<u>6</u>. Under the penalty of perjury, all of the information I have provided on this application and in any accompanying documentation is true and accurate to the best of my knowledge and belief. 	Corrections and common usage.	Accept.
13	Section 3—2 nd bullet	Revise as noted.	I hereby assign and transfer to the U.S. Department of <u>Education</u> (the Department) andy right to a refund on the amount discharged that I may have from the school identified in Section 2 of this form and/or any owners, affiliates, or assignees of the school, and from any third party that may pay claims for a refund because of the actions of the school, up to the amount discharged by the Department on my loan(s).	Corrections. Also, first occurrence of 'the Department' should be defined with the long form.	Accept.
14	Section 5 heading	Revise as noted.	SECTION 54: INSTRUCTIONS FOR COMPLETING THE FORM	Correction.	Accept.
15	Section 5—6 th sentence	Revise as noted.	Return the completed form and any attachments to the address shown in Section 87.	Correction.	Accept.

#	Section	Comment	Proposed Language	Rationale	ED Response
16	Section 6 heading	Revise as noted.	SECTION 65: DEFINITIONS	Correction.	Accept.
17	Section 6—3 rd bullet	Revise as noted.	 The holder of your Direct Loan Program loan(s) is the U.S Department of Education (the Department). The holder of your FFEL Program loan(s) may be a lender, a guaranty agency, or the Department. 	If the change to Section 3—2 nd bullet is made as suggested 'the Department' will have already been defined.	Accept.
18	Section 6—5 th bullet	Revise as noted.	Unauthorized payment means that the school, without the borrower's authorizedation, endorsed the borrower's loan check or signed the borrower's authorizedation for electronic funds transfer or master check, and did not give the loan proceeds to the borrower or apply the loan proceeds to charges owed by the student to the school.	Corrections.	Accept.
19	Section 6—6 th bullet	Revise as noted.	Loan discharge due to an unauthorized signature on a loan application or promissory note cancels your obligation (and any endorser's obligation, if applicable) to repay the remaining portion on a Direct Loan or FFEL Program loan, and qualifies you for reimbursement of any amounts paid voluntarily <u>or</u> through forced collection on the loan. Loan discharge due to an unauthorized signature on a loan check, electronic funds transfer authorization, or master check authorization applies only to the amount of the unauthorized payment. For consolidation loans, only the amount of the underlying loans associated with the document listed in Item <u>67</u> will be considered for discharge.	Corrections to spelling, punctuation, omitted word, and incorrect item numbering.	Accept.
20	Section 6—7 th bullet	Revise as noted.	 The student (as in, "or, for parent PLUS borrowers, the student") refers to the student for whom a parent borrower obtained a Federal PLUS Loan or Direct PLUS Loan or Federal PLUS Loan. 	To remove unneeded language and for consistency.	Accept.
21	Section 7 heading	Revise as noted.	SECTION 76: TERMS AND CONDITIONS FOR LOAN DISCHARGE BASED ON FALSE CERTIFICATION	Correction.	Accept.
22	Section 7—new 1 st bullet	Revise as noted.	 I received each loan for which I am requesting a discharge on or after January 1, 1986. I received the funds directly, or they were applied as a credit to my (or, for parent PLUS borrowers, the student's) school account to pay the amount owed to the school. 	Language pertaining to loans made on or after 1/1/86 should still be included. While it may be less common to see loans prior to this date, it is still relevant to the discharge process.	Accept in part. See above.
23	Section 7—1 st bullet	Revise as noted.	 I will provide, upon request, testimony, a sworn statement, or other documentation reasonably available to me that demonstrates to the satisfactory satisfaction of the U.S Department of Education (the Department) or its designee that I meet the qualifications for loan discharge based on false certification, or that supports any representation that I made on this form or any accompanying documents. 	Correction. Also, if the change to Section 3— 2 nd bullet is made as suggested 'the Department' will already have been defined.	Accept.
24	Section 8 heading	Revise as noted.	SECTION 87: WHERE TO SEND THE COMPLETED REQUEST	Correction.	Accept.

			Recommendations		
#	Section	Comment	Proposed Language	Rationale	ED Response
25	Section 8	Revise as noted.	(If no address is shown, return to your loan <u>servichold</u> er.) (If no telephone number is shown, call your loan <u>servichold</u> er.)	Consistency with other common forms. Reference to "loan holder" is more applicable than interjecting "servicer " in this section. "Loan holder" is used elsewhere and there is a definition loan holder.	Accept.
26	Section 12 heading	Revise as noted.	SECTION 128: IMPORTANT NOTICES	Correction.	Accept.
27	Section 12 Paperwork Reduction Notice	Revise as noted.	 Paperwork Reduction Notice. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collectionit displays a valid OMB control number. The valid OMB control number for this information collection is 1845-0058. Public reporting burden for this collection of information is estimated to average 0.5 hours (30 minutes) per response, including the time for reviewing instructions, searching existing data resources, gathering and maintaining the data needed, and completing and reviewing the collection of information collection. TheIndividuals are obligationed to respond to this collection is required to obtain or retain a benefit in accordance with (34 CFR 682.402(e)(3), or 685.215(c)). Send comments regarding the burden estimate(s) or any other aspect of this collection of information, including suggestions for reducing this burden to the U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20210-4537 or e-mail ICDocketMGR@ed.gov_and reference OMB Control Number 1845-0058. Note: Please do not return the completed form to this address. If you have comments or concernsquestions regarding the status of your individual submission of this form, contact your loan holder(s) (see Section 87)-directly. 	To add needed information and for consistency with common forms and to correct the section that the borrower is referred to. Formatting changes made to separate the last paragraph from the Paperwork Reduction Notice paragraph.	Reject. See above.
			UNPAID REFUND		
1	Section 1	Revise as noted.	City, State, Zip <u>Code</u>	Consistency with other common forms.	Accept.
<mark>2</mark>	Section 2 heading	Revise as noted.	SECTION 2: REFUNDSCHOOL AND LOAN INFORMATION	To better describe the information being gathered for this section.	Accept.
3	Section 2—first sentence	Revise as noted.	Before responding, carefully read the entire form, including Section <u>s</u> 5, 6, and 7 of this form.	Correction.	Accept.
4	Section 2—Item 1	Revise as noted.	 Are <u>yY</u>ou <u>are</u> applying for this loan discharge as a<u>:</u> student or parent borrower? Student <u>borrower</u> – Skip to Item 4. 	Consistency within the 5 discharge forms. Some of these forms show item 1 as a question and some show item 1 as a statement.	Accept.

			Recommendations		
#	Section	Comment	Proposed Language	Rationale	ED Response
			Parent <u>borrower</u> – Continue to Item 2.		•
5	Section 2—Item 9	Revise as noted.	 9. Has this school or any third party (see Section 6) made, or is the school/third party considering you for, a refund or payment for any loan for which you are requesting a discharge? Yes – Complete Items 10 – 12. No – Skip to Section 3 if response to Item 8 was "No". 	Punctuation. Additionally, the language with the 'No' answer is unnecessary. They would not be answering Item 9 unless their answer to Item 8 was 'No".	Accept.
6	Section 3 continued heading	Revise as noted.	SECTION 3: REFUND INFORMATION (CONTINUED)	Correction. If Section 2 is 're- titled'.	Accept.
7	Section 3—Item 13	Revise as noted.	 13. Do you have documentation from the school showing the amount of the unpaid refund? Yes —-Attach the documentation and continue to Items 14 No – Skip to Item 15 	Corrections. Adjust the 'dash' after 'Yes'. Remove the 's' from "Items"—the strikethrough is difficult to see.	Accept.
8	Section 3—Item 14	Revise as noted.	 14. Do you believe that the amount of the refund shown in the documentation is correct? YesSkip to Section 4. No - Continue to Item 15. 	Adjust the 'dash' after 'Yes".	Accept.
9	Section 3—Item 17	Revise as noted.	17. Your (or, for parent PLUS borrowers, the student's) first and last dates of attendance at the school:	Corrections. Add bold to 'OR'.	Accept.
10	Section 3—Item 18.	Revise as noted.	18. You <u>r</u> (or, for parent PLUS borrowers, the student's) program of study at the school:	Correction.	Accept.
11	Section 4 heading	Revise as noted.	SECTION 3: BORROWER ASSIGNMENT, CERTIFICATIONS, ASSIGNMENT, AND AUTHORIZATION	Consistency with other common forms.	Accept.
12	Section 4—1 st bullet	Revise as noted. Also, make this the 2 nd bullet, instead of first.	I hereby assign and transfer to the U.S. Department of <u>Education (the Department)</u> andy right to a refund on the amount discharged that I may have from the school identified in Section 2 of this form and/or any owners, affiliates, or assignees of the school, and from any third party that may pay claims for a refund because of the	Corrections. The first occurrence of 'the Department' should be defined with the long form.	Accept.

	Recommendations					
#	Section	Comment	Proposed Language	Rationale	ED Response	
			actions of the school, up to the amount discharged by the Department on my loan(s).	Also, move the position of this bullet from 1 st to 2 nd for consistency with other common forms.		
13	Section 4—2 nd bullet	Revise as noted. Also, make this the first bullet, instead of 2 nd .	 I certify that— I received each loan for which I am requesting a discharge on or after January 1, 1986. I received the funds directly, or they were applied <u>as</u> a credit to my (or, for parent PLUS borrowers, the student's) school account to pay the amount owed to the school. I (or, for parent PLUS borrowers, the student) did not attend the school, withdrew, <u>or</u> was terminated from the school within the time from<u>ame</u> that would entitle me to a refund of some or all of my loan funds. Except as provided in Section 2, Items 7 through 11, I have not received this refund, or any benefit of a refund to which I am entitled, from the school or any third party. I have read and agree to the terms and conditions for loan discharge, as specified in Section 7. Under the- penalty of perjury, all of the information I have provided on this application and in any accompanying documentation is true and accurate to the best of my knowledge and belief. 	Language pertaining to loans made on or after 1/1/86 should still be included. While it may be less common to see loans prior to this date, it is still relevant to the discharge process. Other corrections as noted. Also, move the position of this bullet from 2 nd to 1 st for consistency with other common forms.	Accept in part. The reference to 1986 has been placed in the terms and conditions section of the form, to be consistent with other forms. All other changes were accepted.	
14	Section 5—last sentence.	Revise as noted.	Return the completed form and any attachments to the address shown in Section 98.	Correction.	Accept.	
<mark>15</mark>	Section 6	Add definition as 3 rd bullet.	<u>The holder of your Direct Loan Program loan(s) is the</u> Department. The holder of your FFEL Program loan(s) may be a lender, a guaranty agency, or the Department.	Add the definition of "loan holder" for consistency among the discharge forms.	Accept.	
16	Section 6—3 rd bullet, 1 st sentence.	Revise as noted.	 Loan discharge due to an unpaid refund cancels your obligation (and any endorser's obligation, if applicable) to repay the portion of your loan that should have been refunded. 	Correction.	Accept.	
17	Section 6—4 th bullet.	Revise as noted.	 The student (as in, "or, for parent PLUS borrowers, the student") refers to the student for whom a parent borrower obtained a Federal PLUS Loan or Direct PLUS Loan or Federal PLUS Loan. 	To remove unneeded language and for consistency.	Accept.	
18	Section 7—1 st bullet.	Revise as noted.	 I will provide, upon request, testimony, a sworn statement, or other documentation reasonably available to me that demonstrates to the satisfactory satisfaction of the U.S Department of Education (the Department) or its designee that I meet the qualifications for loan discharge based on unpaid refund, or that supports any representation that I made on this form or any accompanying documents. 	Correction. If the suggested change to Section 4—1 st bullet is accepted, 'the Department' will have already been defined.	Accept.	
19	Section 8	Revise as noted.	(If no address is shown, return to your loan <u>servichold</u> er.) And (If no telephone number is shown, call your loan <u>servichold</u> er.)	Consistency with other common forms. Reference to "loan holder" is more applicable than interjecting "servicer " in this section. "Loan	Accept.	

Recommendations					
#	Section	Comment	Proposed Language	Rationale	ED Response
				holder" is used elsewhere and there is a definition loan holder.	
20	Section 12	Revise as noted.	SECTION 129: IMPORTANT NOTICES	Correction.	Accept.
21	Section 12	Revise as noted.	Paperwork Reduction Notice. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collectionit displays a valid OMB control number. The valid OMB control number for this information collection is 1845-0058. Public reporting burden for this collection of information is estimated to average 0.5 hours (30 minutes) per response, including the time for reviewing instructions, searching existing data resources, gathering and maintaining the data needed, and completing and reviewing the collection of information collection. TheIndividuals are obligationed to respond to this collection is required to obtain or- retain a benefit in accordance with (34 CFR 682.402(l)(4), or 685.216(c)). Send comments regarding the burden estimate(s) or any other aspect of this collection of information, including suggestions for reducing this burden to the U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20210- 4537 or e-mail ICDocketMGR@ed.gov_and reference OMB Control Number 1845-0058. Note: Please do not return the completed form to this address.If you have comments or concernsquestions regarding the status of your individual submission of this form, contact your loan holder(s) (see Section 8)-directly.	To add needed information and for consistency with common forms and to correct the section that the borrower is referred to. Formatting changes made to separate the last paragraph from the Paperwork Reduction Notice paragraph.	Reject. See above.