



SERVICEMEMBERS CIVIL RELIEF ACT (SCRA): INTEREST RATE LIMITATION REQUEST

OMB No. 1845-XXXX
DRAFT FORM
Exp. Date XX/XX/XXXX

SCRA William D. Ford Federal Direct Loan (Direct Loan) Program and Federal Family Education Loan (FFEL) Program

WARNING: Any person who knowingly makes a false statement or misrepresentation on this form or on any accompanying document is subject to penalties that may include fines, imprisonment, or both, under the U.S. Criminal Code and 20 U.S.C. 1097.

SECTION 1: BORROWER IDENTIFICATION

Please enter or correct the following information.

Check this box if any of your information has changed.

SSN _____ - _____ - _____

Name _____

Address _____

City, State, Zip _____

Telephone - Home (_____) _____ - _____

Telephone - Mobile (_____) _____ - _____

E-mail (optional) _____

SECTION 2: INFORMATION ABOUT THE SERVICEMEMBERS CIVIL RELIEF ACT

Under the Servicemembers Civil Relief Act (SCRA), the maximum interest rate that may be charged on an eligible Direct Loan or FFEL Program loan is 6% during the period of the borrower's qualifying military service.

Generally, you do not need to request that your loan holder limit the interest rate on your Direct Loan or FFEL Program loans that are eligible for the SCRA interest rate limitation. Your loan holder will check the U.S. Department of Defense's Defense Manpower Data Center (DMDC) on a regular basis and automatically apply the SCRA interest rate limitation if the information in the DMDC shows that you qualify.

This form can be used to supplement the DMDC if you have evidence of your military service that is more accurate than the information in the DMDC. However, there are other methods of requesting that your loan holder apply the SCRA interest rate limitation to your Direct Loans and FFEL Program loans, including:

- Submitting a written request and a copy of your military orders;
- Submitting an application for a military service deferment on your loan; or
- Submitting an application for a mandatory forbearance on your loan on the basis of your National Guard duty.

If you want to use this form to request application of the SCRA interest rate limit, complete Section 3 and then have an authorized official complete Section 4.

SECTION 3: BORROWER REQUEST, UNDERSTANDINGS, AUTHORIZATION, AND CERTIFICATION

I request that for any of my eligible Direct Loan and FFEL Program loans that have an interest rate greater than 6%, my loan holder limit the interest rate charged on those loans to 6% during my qualifying military service.

I understand that I am not required to complete this form to request benefits under the Servicemembers Civil Relief Act and that my interest rate limitation will begin no earlier than August 14, 2008.

I authorize the loan holder to which I submit this request (and its agents or contractors) to contact me regarding my request or my loan(s), including repayment of my loan(s), at the number that I provide on this form or any future number that I provide for my cellular telephone or other wireless device using automated telephone dialing equipment or artificial or prerecorded voice or text messages.

I certify that all of the information I have provided on this form and in any accompanying documentation is true, complete, and correct to the best of my knowledge and belief.

Borrower Signature _____ **Date** _____ - _____ - _____

SECTION 4: CERTIFICATION OF AN AUTHORIZED OFFICIAL

- 1. Is the borrower currently a member of the U.S. Army, Navy, Air Force, Marine Corps, or Coast Guard?
 Yes - Continue to Item 2..
 No - Skip to Item 3..
- 2. Is the borrower on active duty under 10 USC 101(d) (1)?
 Yes - Skip to Item 10..
 No - The borrower is not eligible for the SCRA interest rate cap. Do not complete this section.
- 3. Is the borrower a member of the National Guard?
 Yes - Continue to Item 4..
 No - Skip to Item 8..
- 4. Is the borrower on active duty or full-time National Guard duty?
 Yes - Continue to Item 5..
 No - The borrower is not eligible for the SCRA interest rate cap. Do not complete this section.
- 5. Is the active duty or full-time National Guard duty authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days?
 Yes - Continue to Item 6..
 No - The borrower is not eligible for the SCRA interest rate cap. Do not complete this section.
- 6. Is the active duty or full-time National Guard duty for the purposes of responding to a national emergency declared by the President?
 Yes - Continue to Item 7..
 No - The borrower is not eligible for the SCRA interest rate cap. Do not complete this section.
- 7. Is the active duty or full-time National Guard duty supported by Federal funds, under 32 USC 502(f)?
 Yes - Skip to Item 11..
 No - The borrower is not eligible for the SCRA interest rate cap. Do not complete this section.
- 8. Is the borrower a commissioned officer of the Public Health Service or the National Oceanic and Atmospheric Administration?
 Yes - Continue to Item 9..
 No - The borrower is not eligible for the SCRA interest rate cap. Do not complete this section.
- 9. Is the borrower on active service?
 Yes - Continue to Item 10..
 No - The borrower is not eligible for the SCRA interest rate cap. Do not complete this section.
- 10. Provide the start date of the borrower's active duty military service or active service and then continue to Item 12.:
_____ - _____ - _____
- 11. Provide the date on which the borrower was notified of his or her call to active duty or activation to full-time National Guard duty and then continue to Item 12.:
_____ - _____ - _____
- 12. Is the end date of the borrower's military service known?
 Yes - Continue to Item 13..
 No - Skip to Items 14. - 20..
- 13. Provide the end date of the borrower's active duty military service or active service and then continue to Items 14. - 20.:
_____ - _____ - _____

I **certify**, to the best of my knowledge and belief, that the borrower named above is performing military service as indicated in this section.

- 14. Name of Military Branch or National Guard Component: _____
- 15. Address: _____
- 16. City, State, Zip Code: _____
- 17. Name and Title of Authorized Official: _____
- 18. Telephone (_____) _____ - _____
- 19. **Authorized Official's Signature** _____
- 20. **Date** _____ - _____ - _____



SECTION 5: WHERE TO SEND THE COMPLETED REQUEST

Return the completed form and any required documentation to:

(If no address is shown, return to your loan holder.)

If you need help completing this form, call:

(If no telephone number is shown, call your loan holder.)

SECTION 6: INSTRUCTIONS FOR COMPLETING THE FORM

Type or print using dark ink. Enter dates as month-day-year (mm-dd-yyyy). Use only numbers. Example: March 14, 2015 = 03-14-2015. Include your name and account number on any documentation that you are required to submit with this form. If you need help completing this form, contact your loan holder.

Return the completed form and any required documentation to the address shown in Section 5.

SECTION 7 DEFINITIONS

The **William D. Ford Federal Direct Loan (Direct Loan) Program** includes Direct Subsidized Loans, Direct Unsubsidized Loans, Direct PLUS Loans, and Direct Consolidation Loans.

The **Federal Family Education Loan (FFEL) Program** includes Federal Stafford Loans (both subsidized and unsubsidized), Federal PLUS Loans, Federal Consolidation Loans, and Federal Supplemental Loans for Students (SLS).

An **authorized official** who may complete Section 4 is your commanding or personnel officer.

The **holder** of your Direct Loans is the U.S. Department of Education (the Department). The holder of your FFEL Program loan may be a lender, secondary market, guaranty agency, or the Department. Your loan holder may use a servicer to handle billing, payment, repayment options, and other communications on your loans. References to "your loan holder" on this form mean either your loan holder or your servicer.

Period of qualifying military service means the period of time when:

- A member of the U.S. Army, Navy, Air Force, Marine Corps, or Coast Guard is on active duty, including full-time duty in the active military service of the United States and full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary of the military department concerned, but not including full-time National Guard duty.
- A member of the National Guard is performing service on active duty or full-time National Guard duty authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under 32 USC 502(f), for the purposes of responding to a national emergency declared by the President and supported by Federal funds; or
- A commissioned officer of the Public Health Service or the National Oceanic and Atmospheric Administration is on active service.

An **eligible borrower** is a borrower with Direct Loans or FFEL Program loans who received those loans prior to the date that the period of qualifying military service began.

Eligible Direct Loans and FFEL Program loans are Direct Loan and FFEL Program loans made before the date the period of qualifying military service began.

SECTION 8: IMPORTANT NOTICES

Privacy Act Notice. The Privacy Act of 1974 (5 U.S.C. 552a) requires that the following notice be provided to you:

The authorities for collecting the requested information from and about you are §421 et seq. and §451 et seq. of the Higher Education Act of 1965, as amended (20 U.S.C. 1071 et seq. and 20 U.S.C. 1087a et seq.), and the authorities for collecting and using your Social Security Number (SSN) are §§428B(f) and 484(a)(4) of the HEA (20 U.S.C. 1078-2(f) and 1091(a)(4)) and 31 U.S.C. 7701(b). Participating in the Federal Family Education Loan (FFEL) Program or the William D. Ford Federal Direct Loan (Direct Loan) Program and giving us your SSN are voluntary, but you must provide the requested information, including your SSN, to participate.

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 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.

The information in your file may be disclosed, on a case-by-case basis or under a computer matching program, to third parties as authorized under routine uses in the appropriate systems of records notices. The routine uses of this information include, but are not limited to, its disclosure to federal, state, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to consumer reporting agencies, to financial and educational institutions, and to guaranty agencies in order to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan, to permit the servicing or collection of your loan(s), to enforce the terms of the loan(s), to investigate possible fraud and to verify compliance with federal student financial aid program regulations, or to locate you if you become delinquent in your loan payments or if you default. To provide default rate calculations, disclosures may be made to guaranty agencies, to financial and educational institutions, or to state agencies. To provide financial aid history information, disclosures may be made to educational institutions. To assist program administrators with tracking refunds and cancellations, disclosures may be made to guaranty agencies, to financial and educational institutions, or to federal or state agencies. To provide a standardized method for

educational institutions to efficiently submit student enrollment statuses, disclosures may be made to guaranty agencies or to financial and educational institutions. To counsel you in repayment efforts, disclosures may be made to guaranty agencies, to financial and educational institutions, or to federal, state, or local agencies.

In the event of litigation, we may send records to the Department of Justice, a court, adjudicative body, counsel, party, or witness if the disclosure is relevant and necessary to the litigation. If this information, either alone or with other information, indicates a potential violation of law, we may send it to the appropriate authority for action. We may send information to members of Congress if you ask them to help you with federal student aid questions. In circumstances involving employment complaints, grievances, or disciplinary actions, we may disclose relevant records to adjudicate or investigate the issues. If provided for by a collective bargaining agreement, we may disclose records to a labor organization recognized under 5 U.S.C. Chapter 71. Disclosures may be made to our contractors for the purpose of performing any programmatic function that requires disclosure of records. Before making any such disclosure, we will require the contractor to maintain Privacy Act safeguards. Disclosures may also be made to qualified researchers under Privacy Act safeguards.

Paperwork Reduction Notice. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for this information collection is 1845-XXXX. Public reporting burden for this collection of information is estimated to average 20 minutes (0.33 hours) per response, including the time for reviewing instructions, searching existing data resources, gathering and maintaining the data needed, and completing and reviewing the information collection. Response to this collection is voluntary.

If you have questions regarding the status of your individual submission of this form, contact your loan holder (see Section 5).