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LOAN DISCHARGE APPLICATION: FORGERY

William D. Ford Federal Direct Loan (Direct Loan) Program / Federal Family Education Loan (FFEL) Program / Federal Perkins Loan (Perkins Loan) Program

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

FFEL Program and Perkins Loan Program: You can use this form to apply for discharge of a FFEL Program or Perkins Loan Program loan only if the loan is held by the U.S. Department of Education.

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: APPLICANT INFORMATION

Please enter or correct the following information.

Check this box if any of your information has changed.

SSN _____

Name _____

Address _____

City _____ State _____ Zip Code _____

Telephone - Primary _____

Telephone - Alternate _____

Email (Optional) _____

SECTION 2: DECLARATIONS

1. Below, list all loans you want discharged. List only loans held by the U.S. Department of Education (the Department). To find information about your loans, visit StudentAid.gov/login or call 800-4-FED-AID. Attach additional pages, if necessary.

Amount	Year Rec'd	School

2. Did you intend to borrow the loans that you want discharged?

Yes - You are not eligible for this type of discharge.

No.

3. Did you (or the student), receive a refund in cash, check, or electronic funds transfer from the loans, were the loans applied to your (or the student's) account at a school that you attended, or did you (or the student) benefit from the loans in any other way?

Yes.

Explain how you benefited from the loans you want discharged.

No.

4. Did you sign a promissory note, in ink or electronically, for the loans that you want discharged?

Yes - You are not eligible for this type of discharge.

No.

5. Do you believe the person who borrowed the loans you want discharged was an employee or affiliate of the school that originated or certified the loans?

Yes - Complete the Loan Discharge Application for False Certification based on Unauthorized Signature or Payment instead of this form.

No.

Don't Know.

6. Have you (or the student) attended postsecondary school?

Yes.

No.

7. If you (or the student) attended a postsecondary school, provide the names, dates of attendance, and whether the program was an online program:

School	Dates	Online
		<input type="checkbox"/>
		<input type="checkbox"/>

SECTION 2: DECLARATIONS (CONTINUED)

8. How did you (or the student) pay for the costs of attendance, such as tuition and fees, at the school listed in Item 7? Attach documentation (for example, from the school's financial records such as receipts from the school, negotiated personal checks, etc.) to show how you paid for the costs of attendance.

9. Provide your address and dates of residence from the period of time when the loans you want discharged were originated or certified:

Address	Dates of Residence

10. Was any of your information in your loan documents for the loans you want discharged incorrect?

- Yes - Continue to Item 11.
- No- Skip to Item 12.
- Don't Know - Skip to Item 12.

11. Which personal information was incorrect? Check any that apply and attach documentation to show each piece of correct information.

- Name
- Social Security Number
- Date of Birth
- Address
- Names and Addresses of References
- Other (identify): _____

12. Did you give anyone permission to use your personal information to borrow the loans you want discharged?

- Yes - Skip to Item 16.
- No- Continue to Item 13.
- Don't Know - Continue to Item 13.

13. Which personal information was used without your permission? Check any that apply.

- Name
- Social Security Number
- Date of Birth
- Address
- Telephone Number
- Signature
- Other (identify): _____

14. On which documents was your personal information used without your permission? Check any that apply.

- Loan check
- Loan application or promissory note
- Master check or electronic funds transfer authorization
- Other (identify): _____
- Don't Know.

15. How were the documents indicated in Item 14 signed?

- By hand
- Using an electronic process
- Don't know

16. What documentation are you providing to support your claim?

- Samples of my signature - We require that you provide four signature samples that appear on actual documents that you signed. Two of these samples must be dated one year before or after the date the disputed document was signed. Examples of documents include cancelled checks, tax returns, Driver's License, etc.
- A court verdict or judgment that determined I was the victim of the crime of identity theft or forgery and a copy of information or the indictment that the verdict or judgment was based on
- A government identification card, such as your Driver's License, state ID card, passport, or Social Security Card
- A statement from a handwriting expert
- Proof of your residency from the time the loans were made, such as a lease or utility bill
- A complete Identity Theft Victim's Complaint and Affidavit form provided by the Federal Trade Commission
- Other (identify): _____

SECTION 2: DECLARATIONS (CONTINUED)

17. When did you first discover that someone forged your name on loan documents?

18. When and with whom did you first seek to resolve the forgery? Attach documentation such as copies of letters or emails from prior loan holders discussing your forgery allegation.

Person/Entity	Dates of Contact

19. If more than three months elapsed between the date you first discovered that someone forged your signature on loan documents, and the date you first contacted the loan holder or another entity to allege forgery, please explain your delay in attempting to resolve this matter.

20. Did you file a police report or other official complaint?

- Yes, and will provide a copy. Continue to Item 23.
- Yes, but cannot provide a copy.

Explain why you cannot provide a copy and then continue to Item 21.

- No - Skip to Item 22.

21. If more than three months elapsed between the date you first discovered that someone forged your signature on loan documents and the date you filed a police report, please explain your delay in filing the report.

22. Do you know the name of the individual or organization who signed your name, in ink or electronically, without your permission?

- Yes - Continue to Item 23.
- No- Skip to Item 24.

23. Provide the following information about the person or organization who you allege forged your name on loan documents:

Name _____

Organization _____

Address _____

City, State, Zip _____

Phone _____

24. Did anyone other than you have access to the pieces of personal information that were used without your permission?

- Yes - Continue to Item 25.
- No- Skip to Item 26.
- Don't Know - Skip to Item 26.

25. Explain who has or had access to your personal information, their relationship to you, to what information they have or had access, and their contact information:

SECTION 2: DECLARATIONS (CONTINUED)

26. Did you make any claim with, or receive any payment from, the school that originated or certified the loan or any third party (see Section 5) in connection with your claim?

- Yes - Continue to Item 27.
- No- Skip to Item 30.
- Don't Know - Skip to Item 30.

27. Provide the following about the party with whom the claim was made or from whom payment was received:

Name _____
Address _____
City, State, Zip _____
Phone _____

28. What is the amount and status of the claim?

Amount _____
Status _____

29. What was the amount of any payment received? If none, write "none".

30. Did the holder of your loan receive any money back (a refund) from the school on your behalf?

- Yes - Continue to Item 31.
- No- Skip to Item 33.
- Don't Know - Skip to Item 33.

31. What was the amount of the refund?

32. Explain why the money was refunded:

33. Provide any other information or documentation you believe would be helpful in understanding the circumstances surrounding your application. For example, if you identified an individual or organization in Item 23, explain why you believe that the individual or organization used your personal information without permission. Explain how you learned about the incident or how you believe the individual or organization used your information to secure the loans. Attach additional pages, if needed.

SECTION 3: DOCUMENTATION**Documentation is required for your application to be processed:**

- **Documentation of each source of identification** that you identified in Item 11 must be provided.
- **Documentation of each source of evidence** that you identified in Item 16 must be provided.
- **Documentation of your signature** is required if you indicated that one or more of your loan documents were signed by hand in Item 16. At least two of these samples must show that your signature was more one year before or one year after the date of the alleged forgery. Examples of documents include cancelled checks, tax returns, and driver's licenses.
- **Provide documentation of the date and people/entities** that you identified in Item 18.
- **Provide documentation of how you (or the student) paid for the cost of attendance**, such as tuition and fees, at the school, if you (or the student) attended a postsecondary school.

SECTION 4: APPLICANT CERTIFICATIONS, ASSIGNMENT, AND AUTHORIZATION**I certify that:**

1. I am applying for a discharge of Direct Loan Program, FFEL Program, or Perkins Loan Program loans held by the Department that were borrowed in my name as the result of forgery.
2. I have read and agree to the terms and conditions for loan discharge, as specified in Section 7.
3. Under penalty of perjury, all of the information I have provided on this form and in any accompanying documentation is true and accurate to the best of my knowledge and belief.

By signing this form I assign and transfer to the U.S. Department of Education (the Department) any right I have to a refund on the amount discharged from the school and/or from any owners, affiliates, or assignees of the school, and from any third party that pays claims for a refund because of the actions of the party who committed the forgery.

I authorize the organization I submit this request to and its agents to contact me regarding my request or my loans at the cellular telephone number that I provide now or in the future using automated telephone dialing equipment or artificial or prerecorded voice or text messages.

Applicant's Signature _____

Date _____

SECTION 5: INSTRUCTIONS FOR COMPLETING THE FORM

When completing this form, type or print using dark ink. Enter dates as month-day-year (mm-dd-yyyy). Use only numbers. Examples, March 14, 2017 = 03-14-2017. If you need more space to answer any of the items, continue on separate sheets of paper and attach them to this form. Indicate the number of the Item you are answering and include your name and Social Security Number on all attached pages. **Return the completed form any attachments to the address shown in Section 8.**

SECTION 6: 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).

The **Federal Perkins Loan (Perkins Loan) Program** includes Federal Perkins Loans, National Direct Student Loans (NDSL), and National Defense Student Loans (Defense Loans).

The **holder** of your Direct Loans is the Department. The holder of your FFEL Program loans may be a lender, guaranty agency, secondary market, or the Department. The holder of your Perkins Loans is an institution of higher education or the Department. Your loan holder may use a servicer to handle billing and other communications related to your loans. References to "your loan holder" on this form mean either your loan holder or your servicer.

SECTION 6: DEFINITIONS (CONTINUED)

Loan discharge due to forgery on a loan application or promissory note cancels your obligation (and any endorser's obligation, if applicable) to repay the remaining portion of a Direct Loan, FFEL Program, or Perkins Program loan, and qualifies you for reimbursement of any amounts paid voluntarily or through forced collection on the loan. For consolidation loans, only the amount of the underlying loans associated with the document that was signed without your consent will be considered for discharge. The loan holder requests the removal of any credit history associated with the loan.

Third party refers to any entity that may provide reimbursement for a refund owed by the school, such as a State or other entity offering a tuition recovery program.

SECTION 7: TERMS AND CONDITIONS FOR LOAN DISCHARGE

By signing this form, you are agreeing to provide, upon request, testimony, a sworn statement, or other documentation reasonably available to you that demonstrates to the satisfaction of the Department or its designee that you meet the qualifications for loan discharge due to forgery, or that supports any representation that you made on this form or any accompanying documents.

By signing this form, you are agreeing to cooperate with the Department or the Department's designee in any enforcement action related to this form.

This application may be denied, or your discharge may be revoked, if you fail to provide testimony, a sworn statement, or documentation upon request, or if you provide testimony, a sworn statement, or documentation that does not support the material representation that you have made on this form or on any accompanying documents.

SECTION 8: WHERE TO SEND THE COMPLETED FORM

Return the completed form and any 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 9: 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., §451 et seq., or §461 of the Higher Education Act of 1965, as amended (20 U.S.C. 1071 et seq., 20 U.S.C. 1087a et seq., or 20 U.S.C. 1087aa 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 William D. Ford Federal Direct Loan (Direct Loan) Program, Federal Family Education Loan (FFEL) Program, or Federal Perkins Loan (Perkins 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 Direct Loan, FFEL, or Federal Perkins Loan Programs, to permit the servicing of your loans, and, if it becomes necessary, to locate you and to collect and report on your loans if your loans become delinquent or default. 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 loans, to enforce the terms of the loans, 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 such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1845-####. Public reporting burden for this collection of information is estimated to average 60 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain a benefit in accordance with 34 CFR 682.402 or 685.215. If you have comments or concerns regarding the status of your individual submission of this form, please contact your loan holder directly (see Section 9).