


To: Sharon Mar
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OMB – Office of Information and Regulatory Affairs

Through: Kathy Axt
Deputy Director
Information Collection Clearance Division
OCPO/OM
U.S. Department of Education

From: Jeff Appel 
Director, Policy Liaison and Implementation
Federal Student Aid
U.S. Department of Education

Subject: Request for emergency clearance of the collection (1845-NEW) associated with the implementation of the Temporary Expansion of Public Service Loan Forgiveness (TE-PSLF) for Direct Loan borrowers who otherwise qualify for Public Service Loan Forgiveness (PSLF) but have made some or all payments on non-qualifying repayment plans, as required under the Consolidated Appropriations Act, 2018 (Pub. L. No 115-141).

Date: May 18, 2018

On March 23, 2018, the President signed the Consolidated Appropriations Act, 2018 into law. Section 315 of the law included a Temporary Expansion of Public Service Loan Forgiveness (TE-PSLF) Program. This temporary expansion requires the U.S. Department of Education (the Department) to grant forgiveness to Direct Loan borrowers who are otherwise eligible for PSLF but have not made the required 120 qualifying payments solely because some or all of their payments were made on a non-qualifying repayment plan, such as the Extended or Graduated Repayment Plan. The law also only gave the Department 60 days from the date of enactment to implement an application process for the TE-PSLF program.

Because of the limited time permitted for the Department to implement the provisions of this law, the Department requests that OMB allow the Department to clear the collection associated with the implementation of the TE-PSLF program using the emergency clearance procedures of the Paperwork Reduction Act of 1995, outlined in 42 U.S.C. 3507(j) by May 21, 2018. Additionally, we are requesting that the full clearance package be filed at the same time and that the 60 day public comment period be initiated at this time.

Because collections that have been cleared under the emergency procedures are cleared immediately (even if temporarily), the Department would not be required to delay its implementation of the law. If the Department were required to put the collection through the normal clearance process, the Department could not begin implementing the necessary changes until after the collection was cleared. This delay would force the Department to delay the operational changes until the end of the year, which would violate the law.

Please let me know if you have questions related to this emergency clearance request. I may be reached at (202) 377-3936 or by email at jeff.appel@ed.gov, or you may contact Ian Foss of my staff at (202) 377-3681 or by email at ian.foss@ed.gov.