

The Secretary thanks all of those who took the time to comment on the Public Service Loan Forgiveness (PSLF) Reconsideration Form. Approximately 355 comments were received and will be used, as is possible under the law and regulations, to help improve the PSLF Reconsideration process, the experience of PSLF applicants, and federal student loan borrowers.

More than half of the commenters submitted suggestions that dealt with the PSLF program more generally, not the Reconsideration process specifically and were, therefore, outside the scope of this collection. Some of the topics mentioned by these commenters are issues that can only be addressed by changes in the statute and are outside of the Department's authority. These topics include: allowing for-profit employers to be eligible for the PSLF program, allowing the re-consolidation of Joint Consolidation Loans, basing forgiveness simply on time in service, and including FFEL loans as eligible.

Other topics addressed by commenters are issues outside the scope of the PSLF Reconsideration process information collection that the Department could only impact through regulatory change, such as: allowing certain deferments and forbearances to count as qualifying payments, automating the application process as much as possible, and instituting matching agreements with other Federal agencies. The Department understands the concerns expressed about the PSLF program and is attempting to address many of these concerns through other regulatory actions.

Many comments were related to specific topics that we believe deserve a response but are not within the scope of this information collection and are being addressed here only as a courtesy.

Several commenters expressed frustration regarding the ineligibility of Joint Consolidation loans. The Joint Consolidation program allowed a married couple to combine their loans into one consolidation loan together for the purposes of simplified repayment. The Joint Consolidation loan program was ended by Congressional action in 2007. When this program existed, loans included in the consolidation could be either Federal Family Education (FFEL) loans or Direct Loans (DL). While DL Joint Consolidation Loans are eligible for the PSLF program, one or both spouses must be employed in public service jobs. However, FFEL Joint Consolidation loans are not eligible because statute does not allow these loans to be re-consolidated into the DL program. The Department is aware of this issue but does not have the authority to resolve it. Congress would need to take action to allow these loans to be un-consolidated and re-issued as Direct Loans which statute does not currently allow.

Additionally, many commenters discussed being placed in a deferment or forbearance status when they may have been better served by an income-driven repayment (IDR) plan. While this topic is not responsive to this collection, the Department has acknowledged this issue and has attempted to address this concern in other regulatory actions.

Of the comments that were in scope of this information collection, we are providing more specific responses below. However, no changes are being made to the form at this time.

One commenter expressed that any applicant who had been denied PSLF should have an expedited reapplication process. We thank the commenter for this suggestion. It is the intent of the Reconsideration process, in part, to address PSLF denials and expedite the Reconsideration review process as much as possible.

One commenter suggested that the Reconsideration process include more than the two reasons for reconsideration currently on the form – ineligible employer or incorrect payment count. This

commenter suggested including an additional reason such as “error in loan servicer review.” While we thank the commenter for this suggestion, we disagree that the form needs to be modified to include an additional reason for reconsideration. The Reconsideration process is designed to address concerns where the employer may have been incorrectly deemed ineligible and when the payment count may not be accurate. Borrowers may be denied PSLF for various reasons. Choosing one of the current options of ineligible employer or incorrect payment count will allow the borrower’s PSLF application to be reconsidered and represent the root reasons for any denial.

Some commenters suggested process concerns related to borrower notifications when a Reconsideration request is submitted, namely, that there should be an acknowledgement message and case number provided to the borrower upon submission of their request. We thank the commenters for these suggestions and want to confirm that these notifications were implemented when the Reconsideration process was made available to the public.

Another commenter suggested requiring applicants to assert that they have applied for PSLF previously and have been denied before being granted access to complete the Reconsideration process so that any borrower who indicates they have not previously been denied would be automatically rejected. We thank the commenter for this suggestion and understand the intent is to ensure all reconsideration applicants are reviewed in a timely manner. The Department disagrees with this approach because it poses a barrier to access to the Reconsideration process.

One commenter suggested modifying the form to designate specific dates with the same employer as full-time vs part-time employment. We thank the commenter for this suggestion. The intent of the Reconsideration process is to address PSLF denials that may need to be re-evaluated which includes situations where a borrower’s eligible payment count is in dispute. Situations where a borrower’s employment fluctuated between full-time and part-time statuses are covered within the new process. We disagree that a change to the form needs to be made in this instance.

Some commenters requested that an estimated response time be provided when submitting a Reconsideration request. These commenters stated an estimated response time would help applicants gauge where they are in the PSLF process and provide transparency. We thank the commenters for taking the time to provide feedback regarding the Reconsideration Form. At this time, we are unable to provide an accurate response time to these reconsideration requests. Each request is evaluated individually, and response time will be dependent upon the specific details of each case. We believe providing an arbitrary response time would not be in the spirit of transparency in the Reconsideration process.

One commenter requested that priority consideration be given to borrowers who have been making payments on Direct Loans for over 10 years. We thank the commenter for this suggestion. However, we disagree that priority should be given to one group of borrowers over another. The intent of the Reconsideration process, in part, is to address PSLF denials and expedite the process as much as possible.

One commenter suggested using drop downs and auto-fill capabilities in the form or prepopulate information directly from the borrower’s information on record. We thank the commenter for the suggestions and will consider these for future enhancements to the Reconsideration process.

One commenter expressed that the Reconsideration Form is too complicated. The intent of the Reconsideration Form, in part, is to address PSLF denials, expedite the Reconsideration process, and simplify it as much as possible while still collecting all of the necessary information to make supported determinations. We believe the form requires only the most pertinent information at a minimal complication to the borrower.

One commenter suggested that the Reconsideration process include an indicator that the borrower has had their account reviewed for additional payment counts under the limited PSLF waiver so that they are able to tell if their reconsideration request is being submitted before the limited waiver review has been completed. We thank the commenter for this suggestion and will take this into consideration as a future improvement to the Reconsideration process. In the meantime, the PSLF servicer provides this information to individual borrowers in the borrower's account information on their website.