To prohibit abuse of the authority of the Secretary of Education under the HEROES Act in connection with the COVID–19 national emergency declaration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. Good of Virginia introduced the following bill; which was referred to the Committee on __________________

A BILL

To prohibit abuse of the authority of the Secretary of Education under the HEROES Act in connection with the COVID–19 national emergency declaration, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Student Loan Integrity Act”.

SEC. 2. PURPOSE; FINDINGS.

(a) PURPOSE.—It is the purpose of this Act to—
(1) clarify the intent of Congress with respect
to the authorities provided to the Secretary of Edu-
cation under the Higher Education Relief Opportu-
(in this section referred to as the “HEROES Act”);
and

(2) prevent further abuse of the Secretary’s au-
thority provided under the HEROES Act in connec-
tion with the COVID–19 national emergency dec-
laration.

(b) FINDINGS.—Congress finds the following:

(1) As of March 13, 2020, there has been a
moratorium on payments, accrual of interest, and
collections on all Federal student loans.

(2) The moratorium is the largest benefit pro-
vided by taxpayers in the history of the Federal stu-
dent loan program.

(3) Excluding section 3513 of the CARES Act
(20 U.S.C. 1001 note), this benefit was not explicitly
authorized by Congress.

(4) Since December 4, 2020, the Secretary of
Education has cited the HEROES Act as the au-
thority to extend the moratorium on student loan
payments for “affected individuals”, in connection
with the March 13, 2020, national emergency decl-
laration.

(5) The Secretary has undermined the intent of
Congress and abused its authority provided by the
HEROES Act to amend statutory provisions of title
IV of the Higher Education Act (20 U.S.C. 1070 et
seq.) to provide benefits for borrowers beyond those
deemed as “affected individuals”.

SEC. 3. PROHIBITION.

The Secretary of Education may not use the author-
ity under section 2(a)(1) of the Higher Education Relief
Opportunities for Students Act of 2003 (20 U.S.C.
1098bb(a)(1)) to issue a waiver or modification, or to ex-
tend a waiver or modification issued before the effective
date of this Act, of any statutory or regulatory provision
applicable to the student financial assistance programs
under title IV of the Higher Education Act of 1965 (20
U.S.C. 1070 et seq.) in connection with the national emer-
gency declared by the President on March 13, 2020, pur-
suant to the National Emergencies Act (50 U.S.C. 1601
et seq.) (Proclamation 9994).

SEC. 4. LIMITATION ON WAIVERS AND MODIFICATIONS.

Section 2(a)(1) of the Higher Education Relief Op-
portunities for Students Act of 2003 (20 U.S.C.
1098bb(a)(1)) is amended—
(1) by striking “Notwithstanding” and inserting the following:

“(A) Authority of Secretary.—Except as provided in subparagraph (B), notwithstanding”;

and

(2) by adding at the end the following:

“(B) Limitation.—A waiver or modification under paragraph (1) may not—

“(i) provide for a period that exceeds 30 days during which—

“(I) payments of principal or interest due on loans made, insured, or guaranteed under part B, D, or E of title IV of the Act are suspended; or

“(II) interest does not accrue on such loans; or

“(ii) result in the discharge or cancellation of a loan made, insured, or guaranteed under part B, D, or E of title IV of the Act.”.

SEC. 5. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect on May 1, 2022.