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(Original Signature of Member)

115TH CONGRESS  
1ST SESSION

# H. R.

To allow certain student loan borrowers to refinance Federal student loans.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. PETERS introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

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# A BILL

To allow certain student loan borrowers to refinance Federal  
student loans.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Student Loan  
5 Refinancing Act”.

6 **SEC. 2. STUDENT LOAN CONSOLIDATION.**

7 Section 459B of the Higher Education Act of 1965  
8 (20 U.S.C. 1087i–2) is amended—

1           (1) in subsection (a)(3), by striking “section”  
2           and inserting “subsection”;

3           (2) in subsection (b), by striking “this section”  
4           and inserting “subsection (a)” each place the term  
5           appears; and

6           (3) by inserting at the end the following:

7           “(c) TEMPORARY LOAN CONSOLIDATION AUTHORITY  
8           FOR CERTAIN LOANS MADE AFTER JULY 1, 2006.—

9           “(1) LOAN CONSOLIDATION AUTHORITY.—

10           “(A) IN GENERAL.—A borrower who has 1  
11           or more loans in a category described in sub-  
12           paragraph (B) may consolidate all of the loans  
13           of the borrower that are described in subpara-  
14           graph (B) into a Federal Direct Consolidation  
15           Loan during the period described in subpara-  
16           graph (C).

17           “(B) CATEGORIES OF LOANS THAT MAY BE  
18           CONSOLIDATED.—The categories of loans that  
19           may be consolidated under subparagraph (A)  
20           are loans made on or after July 1, 2006, that  
21           are—

22           “(i) loans made under this part;

23           “(ii) loans purchased by the Secretary  
24           pursuant to section 459A; and

1                   “(iii) loans made under part B that  
2                   are held by an eligible lender, as such term  
3                   is defined in section 435(d).

4                   “(C) TIME PERIOD IN WHICH LOANS MAY  
5                   BE CONSOLIDATED.—

6                   “(i) FEDERAL DIRECT LOANS.—In the  
7                   case of a borrower who has 1 or more  
8                   loans described under subparagraph (B)(i),  
9                   the Secretary shall—

10                   “(I) consolidate the loans de-  
11                   scribed under subparagraph (B)(i) not  
12                   later than 90 days after the date of  
13                   enactment of the Federal Student  
14                   Loan Refinancing Act; and

15                   “(II) notify the borrower, in writ-  
16                   ing, prior to such consolidation that—

17                   “(aa) the borrower’s loans  
18                   under this part have been con-  
19                   solidated at a lower interest rate;  
20                   and

21                   “(bb) the borrower’s repay-  
22                   ment plan and the other terms  
23                   and conditions of the borrower’s  
24                   loan remain unchanged.

1           “(ii) OTHER LOANS.—In the case of a  
2 borrower who has 1 or more loans de-  
3 scribed under clause (ii) or (iii) of subpara-  
4 graph (B), the Secretary shall—

5           “(I) initiate the loan consolida-  
6 tion process for the loans described  
7 under clause (ii) or (iii) of subpara-  
8 graph (B), not later than 90 days  
9 after the date of enactment of the  
10 Federal Student Loan Refinancing  
11 Act, by sending a completed loan con-  
12 solidation application to the borrower;

13           “(II) notify the borrower, as part  
14 of such application, that a fee will be  
15 assessed and that the interest rate of  
16 the Federal Direct Consolidation  
17 Loan will be set in accordance with  
18 paragraph (2); and

19           “(III) notify the borrower, as  
20 part of such application, that if the  
21 borrower wishes to consolidate in ac-  
22 cordance with the completed applica-  
23 tion, the borrower must endorse the  
24 application and submit the application  
25 to the Secretary not more than 6

1 months after receipt of the applica-  
2 tion.

3 “(2) TERMS OF LOANS.—The following terms  
4 and conditions shall apply to a Federal Direct Con-  
5 solidation Loan made under this subsection:

6 “(A) The applicable rate of interest on a  
7 Federal Direct Consolidation Loan made under  
8 this subsection shall be—

9 “(i) 4 percent; or

10 “(ii) in a case in which the weighted  
11 average of the interest rates on the out-  
12 standing loans of a borrower that will be  
13 consolidated is less than 4 percent, the  
14 lesser of—

15 “(I) the weighted average of the  
16 interest rates on the outstanding  
17 loans of a borrower that will be con-  
18 solidated; or

19 “(II) a rate of interest equal to—

20 “(aa) 4 percent; minus

21 “(bb) 0.4 percent of the  
22 principal balance of the consoli-  
23 dation loan, at the time of con-  
24 solidation.

1           “(B) In the case of a loan consolidated  
2           under paragraph (1)(C)(ii), an origination fee  
3           equal to 0.4 percent of the principal balance of  
4           the consolidation loan, at the time of consolida-  
5           tion, will be added to the principal balance of  
6           the loan, and the Secretary shall use the fee to  
7           cover the cost of making and servicing the loan.

8           “(C) If 1 or more of the loans being con-  
9           solidated is a loan described under paragraph  
10          (1)(B)(iii), the interest rate on the Federal Di-  
11          rect Consolidation Loan under this subsection  
12          shall be reduced by 0.25 percent.

13          “(D) Any benefit a borrower is receiving or  
14          earning at the time a Federal Direct Consolida-  
15          tion Loan is issued under this subsection shall  
16          not be affected by consolidation under this sec-  
17          tion, including benefits such as a deferment or  
18          forbearance, accumulation of monthly payments  
19          as part of the public service loan forgiveness  
20          program under section 455(m), accumulation of  
21          monthly payments toward a loan discharge  
22          under the income-based repayment plan under  
23          section 493C, participation in a particular re-  
24          payment plan, and other benefits to the bor-  
25          rower.”.

1 **SEC. 3. EXEMPTIONS FROM OTHER LAWS.**

2 (a) EXEMPTION FROM THE PAPERWORK REDUCTION  
3 ACT.—Chapter 35 of title 44, United States Code, shall  
4 not apply to this Act.

5 (b) INAPPLICABILITY OF RULEMAKING REQUIRE-  
6 MENTS.—Sections 482(c) and 492 of the Higher Edu-  
7 cation Act of 1965 (20 U.S.C. 1089(c), 1098a) and sec-  
8 tion 553 of title 5, United States Code, shall not apply  
9 to the amendments made by this Act, or to any regulations  
10 promulgated under such amendments.