

HR 5715

Ensuring Continued Access to Student Loans Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Education

Introduced: Apr 8, 2008

Current Status: Became Public Law No: 110-227.

Latest Action: Became Public Law No: 110-227. (May 7, 2008)

Law: 110-227 (Enacted May 7, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/5715>

Sponsor

Name: Rep. Miller, George [D-CA-7]

Party: Democratic • **State:** CA • **Chamber:** House

Cosponsors (32 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Altmire, Jason [D-PA-4]	D · PA		Apr 8, 2008
Rep. Bishop, Timothy H. [D-NY-1]	D · NY		Apr 8, 2008
Rep. Courtney, Joe [D-CT-2]	D · CT		Apr 8, 2008
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		Apr 8, 2008
Rep. Hare, Phil [D-IL-17]	D · IL		Apr 8, 2008
Rep. Hinojosa, Ruben [D-TX-15]	D · TX		Apr 8, 2008
Rep. Hirono, Mazie K. [D-HI-2]	D · HI		Apr 8, 2008
Rep. Holt, Rush [D-NJ-12]	D · NJ		Apr 8, 2008
Rep. Loebsack, David [D-IA-2]	D · IA		Apr 8, 2008
Rep. McKeon, Howard P. "Buck" [R-CA-25]	R · CA		Apr 8, 2008
Rep. Sarbanes, John P. [D-MD-3]	D · MD		Apr 8, 2008
Rep. Scott, Robert C. "Bobby" [D-VA-3]	D · VA		Apr 8, 2008
Rep. Sestak, Joe [D-PA-7]	D · PA		Apr 8, 2008
Rep. Shea-Porter, Carol [D-NH-1]	D · NH		Apr 8, 2008
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Apr 8, 2008
Rep. Wu, David [D-OR-1]	D · OR		Apr 8, 2008
Rep. Clarke, Yvette D. [D-NY-11]	D · NY		Apr 10, 2008
Rep. Davis, Danny K. [D-IL-7]	D · IL		Apr 10, 2008
Rep. Davis, David [R-TN-1]	R · TN		Apr 10, 2008
Rep. Ellison, Keith [D-MN-5]	D · MN		Apr 10, 2008
Rep. Johnson, Eddie Bernice [D-TX-30]	D · TX		Apr 10, 2008
Rep. Keller, Ric [R-FL-8]	R · FL		Apr 10, 2008
Rep. Kennedy, Patrick J. [D-RI-1]	D · RI		Apr 10, 2008
Rep. Kildee, Dale E. [D-MI-5]	D · MI		Apr 10, 2008
Rep. Kucinich, Dennis J. [D-OH-10]	D · OH		Apr 10, 2008
Rep. Lewis, John [D-GA-5]	D · GA		Apr 10, 2008
Rep. McCarthy, Carolyn [D-NY-4]	D · NY		Apr 10, 2008
Rep. Olver, John W. [D-MA-1]	D · MA		Apr 10, 2008
Rep. Payne, Donald M. [D-NJ-10]	D · NJ		Apr 10, 2008
Rep. Sánchez, Linda T. [D-CA-39]	D · CA		Apr 10, 2008
Rep. Thompson, Bennie G. [D-MS-2]	D · MS		Apr 10, 2008
Resident Commissioner Fortuno, Luis G. [R-PR-At Large]	R · PR		Apr 10, 2008

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Reported By	Apr 14, 2008

Subjects & Policy Tags

Policy Area:

Education

Related Bills

Bill	Relationship	Last Action
110 HR 6889	Related bill	Oct 7, 2008: Became Public Law No: 110-350.
110 HRES 1167	Related bill	May 1, 2008: Motion to reconsider laid on the table Agreed to without objection.
110 HRES 1107	Procedurally related	Apr 16, 2008: On agreeing to the resolution Agreed to by the Yeas and Nays: 223 - 192 (Roll no. 195). (text: CR H2362)
110 S 2815	Related bill	Apr 3, 2008: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure as introduced: CR S2442-2443)

(This measure has not been amended since it was passed by the Senate on April 30, 2008. The summary of that version is repeated here.)

Ensuring Continued Access to Student Loans Act of 2008 - (Sec. 2) Amends the Higher Education Act of 1965 to increase, by \$2,000, the maximum annual unsubsidized Stafford loan amounts that may be provided to undergraduate students under the Federal Family Education Loan (FFEL) program. Sets the aggregate limit on such loans at \$31,000 for dependent undergraduates and \$57,500 for independent undergraduates.

(Sec. 3) Gives parent borrowers of PLUS FFELs the option to defer loan principal repayment for up to six months after the students for whom such loans are borrowed cease to carry at least one-half the normal full-time academic workload.

(Sec. 4) Authorizes lenders to determine that borrowers of PLUS FFELs who, between January 1, 2007, and December 31, 2009, are no more than 180 days delinquent on their home mortgages, and no more than 89 days delinquent on the repayment of any other debt, meet a specified extenuating circumstances requirement which makes them eligible for such loans despite having an adverse credit history.

(Sec. 5) Includes parent borrowers in the FFEL lender-of-last-resort program for borrowers otherwise unable to obtain such loans.

Prohibits loans made under the FFEL lender-of-last-resort program from having more favorable terms than other FFELs of the same type.

Allows institutions of higher education (IHEs), with the Secretary of Education's approval, to participate in such program until June 30, 2009; thereby requiring guaranty agencies serving as lenders-of-last-resort to make FFELs to student and parent borrowers of such IHEs, until such date, regardless of their ability to otherwise obtain such loans.

Allows the Secretary to develop any standards regarding IHE participation in such program that the Secretary considers appropriate, including requirements that IHEs demonstrate: (1) their inability, despite due diligence, to secure eligible lenders' commitment to make loans to a significant number of their students; and (2) that a minimum number or percentage of their students have received rejections from eligible FFEL lenders.

Authorizes the Secretary to advance needed funds to guaranty agencies acting as lenders-of-last-resort in such situations.

Prohibits lenders-of-last-resort from: (1) offering certain inducements to schools, school employees, prospective borrowers, or other lenders; or (2) marketing loans under the lender-of-last-resort program.

Requires the Secretary to provide information to the public and issue reports to Congress regarding such program.

Directs the Secretary, within 90 days of this Act's enactment, to review and, if necessary, revise regulations concerning prohibited guaranty agency inducements to eligible lenders to ensure that such agencies do not engage in improper inducements made possible by this Act's expansion of their role as lenders-of-last-resort. Requires the Secretary to report to Congress.

(Sec. 6) Authorizes and appropriates sums necessary for advances to guaranty agencies acting as lenders-of-last-resort.

(Sec. 7) Gives the Secretary the authority, until July 2009, to purchase, or enter into forward commitments to purchase, FFELs from lenders upon the determination that there is an inadequate availability of loan capital to meet the demand for such loans. Prohibits such loan purchases from resulting in any net cost to the federal government.

Requires, the Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget, before any loan purchase is made, to publish a joint notice in the Federal Register that: (1) establishes the terms governing such purchase; and (2) outlines the methodology and factors they will consider in setting a price for such loans that is in the best interest of the country and will result in no net cost to the federal government.

Conditions the purchase of such loans on lenders agreeing to use the funds from such purchases to ensure their continued participation in the FFEL program and origination of new FFELs.

Allows the Secretary to contract with the lenders whose loans are being purchased for the servicing of such loans, provided such arrangement is in the best interest of borrowers and does not result in costs the federal government would otherwise not incur in servicing such loans.

(Sec. 8) Expresses the sense of Congress that the federal financial institutions should consider using available authorities in a timely manner, if needed, to enhance student and family access to federal student loans in a manner that results in no increased costs to taxpayers and in no way delays or limits the Secretary's authority to advance funds to lenders-of-last-resort or purchase FFELs.

(Sec. 9) Directs the Comptroller General to conduct a five-year study and report to Congress on the effect increases in FFEL loan limits under this Act and the Deficit Reduction Act of 2005 have on the cost of attending college and the use of private educational loans.

(Sec. 10) Revises the Academic Competitiveness Grant program to make noncitizen students and students enrolled or accepted for enrollment at an IHE on at least a half-time basis eligible for program grants. (Currently, only U.S. citizens and full-time students may participate.) Reduces the amount of a program grant available to a less than full-time student in the same manner in which Pell Grants are reduced.

Relaxes eligibility requirements for the Academic Competitiveness Grants available to Pell Grant-eligible first and second year students to: (1) allow recipients to participate in IHE programs that award a certificate, rather than a degree; (2) include students whose secondary education involved private or home schooling; and (3) include students whose previous IHE enrollment was part of their secondary school studies.

Revises eligibility requirements for the SMART Grants available to Pell Grant-eligible third and fourth year students pursuing majors in science, mathematics, technology, engineering, or a critical foreign language. Includes students who attend IHEs that do not allow students to declare a major, if their studies in such subjects are equivalent to those required at schools that permit students to major in such subjects. Includes also any students in the fifth year of an IHE program that requires five full years of coursework for baccalaureate degrees in such subjects. Sets the maximum SMART grant amount at \$4,000 for each year of a student's eligibility.

(Sec. 11) Makes inapplicable to amendments made by this Act certain rulemaking requirements and the master calendar of actions the Secretary must take regarding student aid.

Actions Timeline

- **May 7, 2008:** Signed by President.
- **May 7, 2008:** Became Public Law No: 110-227.
- **May 6, 2008:** Presented to President.
- **May 1, 2008:** Mr. Miller, George moved that the House suspend the rules and agree to the Senate amendments. (consideration: CR H2983-2987, H2989)
- **May 1, 2008:** DEBATE - The House proceeded with forty minutes of debate on the motion to suspend the rules and agree to the Senate amendments to H.R. 5715.
- **May 1, 2008:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the chair announced that further proceedings on the motion would be postponed.
- **May 1, 2008:** Resolving differences -- House actions: On motion that the House suspend the rules and agree to the Senate amendments Agreed to by the Yeas and Nays: 388 - 21 (Roll no. 239).(text as House agreed to Senate amendments: CR H2983-2984)
- **May 1, 2008:** On motion that the House suspend the rules and agree to the Senate amendments Agreed to by the Yeas and Nays: 388 - 21 (Roll no. 239). (text as House agreed to Senate amendments: CR H2983-2984)
- **May 1, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **May 1, 2008:** Cleared for White House.
- **Apr 30, 2008:** Measure laid before Senate by unanimous consent. (consideration: CR S3642-3643)
- **Apr 30, 2008:** Passed/agreed to in Senate: Passed Senate with amendments by Unanimous Consent.
- **Apr 30, 2008:** Passed Senate with amendments by Unanimous Consent.
- **Apr 30, 2008:** Message on Senate action sent to the House.
- **Apr 29, 2008:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 722.
- **Apr 28, 2008:** Received in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.
- **Apr 17, 2008:** Considered as unfinished business. (consideration: CR H2456-2466)
- **Apr 17, 2008:** GENERAL DEBATE - The Committee of the Whole continued with the remaining debate on H.R. 5715.
- **Apr 17, 2008:** DEBATE - Pursuant to the provisions of H. Res. 1107, the Committee of the Whole proceeded with ten minutes of debate on the George Miller amendment.
- **Apr 17, 2008:** POSTPONED PROCEEDINGS - At the end of debate on the George Miller amendment, the Chair put the question on adoption of the amendment, and by voice vote, announced that the ayes had prevailed. Mr. George Miller demanded a recorded vote and the Chair postponed further proceedings on the question until later in the legislative day.
- **Apr 17, 2008:** DEBATE - Pursuant to the provisions of H. Res. 1107, the Committee of the Whole proceeded with ten minutes of debate on the Petri amendment.
- **Apr 17, 2008:** DEBATE - Pursuant the the provisions of H. Res. 1107, the Committee of the Whole proceeded with ten minutes of debate on the Castle amendment.
- **Apr 17, 2008:** DEBATE - Pursuant to the provisions of H. Res. 1107, the Committee of the Whole proceeded with ten minutes of debate on the Castor amendment.
- **Apr 17, 2008:** Committee of the Whole House on the state of the Union rises leaving H.R. 5715 as unfinished business.
- **Apr 17, 2008:** Considered as unfinished business. (consideration: CR H2466-2468)
- **Apr 17, 2008:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Apr 17, 2008:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 5715.
- **Apr 17, 2008:** The previous question was ordered pursuant to the rule. (consideration: CR H2467)
- **Apr 17, 2008:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text: CR H2460-2462)
- **Apr 17, 2008:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 383 - 27 (Roll no. 204).
- **Apr 17, 2008:** On passage Passed by the Yeas and Nays: 383 - 27 (Roll no. 204).
- **Apr 17, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Apr 16, 2008:** Rule H. Res. 1107 passed House.
- **Apr 16, 2008:** Considered under the provisions of rule H. Res. 1107. (consideration: CR H2394-2399)
- **Apr 16, 2008:** Rule provides for consideration of H.R. 5715 with 1 hour of general debate. Previous question shall be

considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment printed in Part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole.

- **Apr 16, 2008:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 1107 and Rule XVIII.
- **Apr 16, 2008:** The Speaker designated the Honorable Jesse L. Jackson Jr. to act as Chairman of the Committee.
- **Apr 16, 2008:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 5715.
- **Apr 16, 2008:** Mr. Miller, George moved that the Committee rise.
- **Apr 16, 2008:** On motion that the Committee rise Agreed to by recorded vote: 395 - 1 (Roll no. 200).
- **Apr 16, 2008:** Committee of the Whole House on the state of the Union rises leaving H.R. 5715 as unfinished business.
- **Apr 15, 2008:** Rules Committee Resolution H. Res. 1107 Reported to House. Rule provides for consideration of H.R. 5715 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment printed in Part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole.
- **Apr 14, 2008:** Reported by the Committee on Education and Labor. H. Rept. 110-583.
- **Apr 14, 2008:** Placed on the Union Calendar, Calendar No. 361.
- **Apr 9, 2008:** Committee Consideration and Mark-up Session Held.
- **Apr 9, 2008:** Ordered to be Reported by Voice Vote.
- **Apr 8, 2008:** Introduced in House
- **Apr 8, 2008:** Referred to the House Committee on Education and Labor.