

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4909
OFFERED BY MR. SEAN PATRICK MALONEY OF
NEW YORK**

At the end of subtitle H of title V, add the following
new section:

1 **SEC. 5** ____ . **SERVICE-CONNECTED DISABILITY DETERMINA-**
2 **TIONS.**

3 (a) **IN GENERAL.**—Section 437(a) of the Higher
4 Education Act of 1965 (20 U.S.C. 1087(a)) is amended
5 by striking paragraph (2) and inserting the following:

6 “(2) **SERVICE-CONNECTED DISABILITY DETER-**
7 **MINATIONS.**—

8 “(A) **IN GENERAL.**—A borrower who has
9 been determined to be unemployable by the Sec-
10 retary of Veterans Affairs or has been assigned
11 a disability rating of 100 percent (or a com-
12 bination of ratings equaling 100 percent) by the
13 Secretary of Veterans Affairs or the Secretary
14 of Defense for a service-connected disability (as
15 defined in section 101 of title 38, United States
16 Code), regardless of whether such borrower pro-
17 vides documentation of such rating to the Sec-

1 retary of Education, shall be considered perma-
2 nently and totally disabled for the purpose of
3 discharging such borrower's loans under this
4 subsection, and such borrower shall not be re-
5 quired to present any additional documentation
6 for purposes of this subsection.

7 “(B) RATING OF DISABILITY.—A deter-
8 mination of unemployability or disability rating
9 of 100 percent described in subparagraph (A)
10 and transmitted in accordance with subpara-
11 graph (C) shall be considered sufficient docu-
12 mentation for purposes of this subsection.

13 “(C) TRANSFER OF INFORMATION.—Not
14 later than 180 days after the date of enactment
15 of this paragraph, the Secretary of Education,
16 in coordination with the Secretary of Defense
17 and the Secretary of Veteran Affairs, shall cre-
18 ate a system through which the applicable dis-
19 ability ratings, or alternative means of trans-
20 mitting a determination of unemployability,
21 made before, on, or after the date of enactment
22 of this paragraph, shall be automatically trans-
23 mitted from the Department of Defense or the
24 Department of Veterans Affairs, as the case
25 may be, to the Department of Education and

1 shall satisfy the documentation requirement de-
2 scribed in this subparagraph. The Secretaries
3 shall have the authority to enter into any agree-
4 ments necessary to implement the requirements
5 of this subparagraph.

6 “(D) NOTIFICATION TO BORROWERS.—The
7 Secretary of Education shall notify each bor-
8 rower whose liability on a loan has been dis-
9 charged under this subsection that such loan
10 has been discharged.”.

11 (b) EFFECTIVE DATE.—The amendment made by
12 this section shall take effect on the date that is 60 days
13 after the date of enactment of this Act.

