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Publication Date: September 2005

DCL ID: GEN-05-12

Subject: Approval of Loan Discharge Applications

Summary: This letter announces the approval of revised School Closure, False Certification of Ability to Benefit, False Certification (Disqualifying Status), and Unauthorized Signature/Unauthorized Payment loan discharge applications and provides guidance on the implementation of these revised forms.

Posted on 09-16-2005

Dear Colleague:

The attachments to this letter contain revised OMB approved loan discharge application forms for use in the Title IV student loan programs - the Federal Family Education Loan (FFEL) Program, the William D. Ford Federal Direct Loan (Direct Loan) Program, and the Federal Perkins Loan (Perkins Loan) Program. Each form reflects the unique federal requirements pertaining to its specific loan discharge, as follows:

- Loan Discharge Application: School Closure - Used by borrowers in all three Title IV loan programs (FFEL, Direct Loan, and Perkins Loan) who were unable to complete their program of study because their school closed.
- Loan Discharge Application: False Certification of Ability to Benefit - Used by borrowers in the FFEL and Direct Loan programs who did not possess a high school diploma (or its equivalent) and whose "ability to benefit" (ATB) was falsely certified by their school.
- Loan Discharge Application: False Certification (Disqualifying Status) - Used by borrowers in the FFEL and Direct Loan programs whose eligibility was falsely certified by their school due to a disqualifying status or condition of the student.
- Loan Discharge Application: Unauthorized Signature/Unauthorized Payment - Used by borrowers in the FFEL and Direct Loan programs when there was an unauthorized signature/endorsement or unauthorized payment by the school.

Implementation and Transition to New Forms

The attached OMB-approved forms are available for immediate use. Program participants may begin distributing the revised form immediately. Beginning February 28, 2006, only the attached loan discharge forms may be provided to eligible borrowers. However, the previous versions of the forms may continue to be processed after that date.

Imaging Technology

Each enclosed loan discharge application requires the borrower to complete and sign the form in ink. This request is made to accommodate imaging technology, but a pencil signature does not invalidate a form. Requiring the borrower to complete and sign the loan discharge application in ink is consistent with the use of other common FFEL and Direct Loan program forms.

In developing the forms, consideration was given to bar coding. Accordingly, space at the top, bottom, or sides of the forms may be used for this purpose.

Printing Instructions

The enclosed forms must be printed using black ink on white paper. The typeface, point size, and general presentation of the forms may not be changed. The program names appear in the header of each form. While a program participant may change the order of the program names, the names of the other program(s) must remain on the form.

Program participants should pre-print their name and address and provide a contact number for borrowers to call in the boxes provided for that purpose in Section 8 on page 2 of each form.

Obtaining Copies for Reproduction

These forms are available in PDF format as Attachments to this letter. In addition, the forms are available on the National Council of Higher Education Loan Programs (NCHELP) web site at www.nchelp.org.

Guaranty agencies and Perkins Loan school lenders are responsible for ensuring that the forms they use are identical to the forms approved by the Secretary. No changes may be made to the forms except those expressly authorized above.

Sincerely,

Jeff Baker
Director, Policy Liaison and Implementation
Federal Student Aid

Attachments/Enclosures:

[GEN-05-12: Approval of Loan Discharge Applications in PDF Format, 2.26MB 2 pages](#)

[Loan Discharge Application: School Closure in PDF Format, 56KB, 2 pages](#)

[Loan Discharge Application: False Certification of Ability to Benefit in PDF Format, 56KB, 2 pages](#)

[Loan Discharge Application: False Certification \(Disqualifying Status\) in PDF Format, 56KB, 2 pages](#)

[Loan Discharge Application: Unauthorized Signature/Unauthorized Payment in PDF Format, 57KB, 2 pages](#)

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LOAN DISCHARGE APPLICATION: SCHOOL CLOSURE

OMB No. 1845-0015
Form Approved
Exp. Date 08/31/2008

Federal Family Education Loan Program / William D. Ford Federal Direct Loan Program / Federal Perkins Loan Program

WARNING: Any person who knowingly makes a false statement or misrepresentation on this form or on any accompanying documents will be subject to penalties which may include fines, imprisonment or both, under the U.S. Criminal Code and 20 U.S.C. 1097.

SECTION 1: BORROWER IDENTIFICATION

Please enter or correct the following information.

SSN |__|__|__|_|-|__|__|_|-|__|__|__|_|

Name _____

Address _____

City, State, Zip _____

Telephone – Home () _____

Telephone – Other () _____

E-mail (optional) _____

SECTION 2: STUDENT INFORMATION

Before completing this section, carefully read the entire form, including the instructions, definitions, and terms and conditions in Sections 4, 5, and 6 on this form. If you are a student borrower applying for loan discharge, begin with Item 3. If you are a parent borrower applying for a PLUS loan discharge, begin with Item 1.

1. Student's name (last, first, middle initial): _____

2. Student's SSN: |__|__|__|_|-|__|__|_|-|__|__|__|_|

3. Closed school's name: _____

4. Date school closed (if known): |__|__|_|-|__|__|_|-|__|__|__|_|

5. Closed school's address (street, city, state, zip): _____

6. Dates of attendance at the closed school: From |__|__|_|-|__|__|_|-|__|__|__|_| To |__|__|_|-|__|__|_|-|__|__|__|_|

7. Name of the program of study that you (or, for PLUS borrowers, the student) were enrolled in at the time the school closed: _____

8. Did you (or, for PLUS borrowers, the student) complete the program of study at the closed school? Yes No
If No, check all reasons that apply:

The school closed while you (or, for PLUS borrowers, the student) were still enrolled.

You (or, for PLUS borrowers, the student) withdrew from the school on: |__|__|_|-|__|__|_|-|__|__|__|_|

You (or, for PLUS borrowers, the student) were on an approved leave of absence when the school closed:

From |__|__|_|-|__|__|_|-|__|__|__|_| To |__|__|_|-|__|__|_|-|__|__|__|_|

Other (please explain): _____

9. Did you (or, for PLUS borrowers, the student) complete or are you in the process of completing the program of study or a comparable program of study at another school? Yes No **If Yes, complete Item a) and b) below:**

a) Did the other school give you (or, for PLUS borrowers, the student) credit for training received at the closed school by allowing transfer of credits or hours earned at the closed school, or by any other means? Yes No

b) Were you (or, for PLUS borrowers, the student) required to start the program of study over from the beginning at the other school? Yes No

10. Did the holder of your loan receive any money back (a refund) from the school on your behalf? Yes No Don't Know

If Yes, give the amount and explain why the money was refunded: _____

11. Did you (or, for PLUS borrowers, the student) make any monetary claim with, or receive any payment from, the school or any third party (see definition in Section 5) in connection with enrollment or attendance at the school? Yes No Don't Know **If Yes, please provide the following information:**

(a) Name/address/telephone number of the party with whom the claim was made or from whom payment was received: _____

(b) Amount/status of claim: _____

(c) Amount of payment received: \$ _____
(Write "none" if no payment was received.)

SECTION 3: BORROWER CERTIFICATION

My signature below certifies that I have read and agree to the terms and conditions that apply to this loan discharge, as specified in Section 6 on the following page. Under penalty of perjury, I certify that all of the information I have provided on this form and in any accompanying documentation is true and accurate to the best of my knowledge and belief.

Borrower's Signature: _____ **Date:** _____

SECTION 4: INSTRUCTIONS FOR COMPLETING THE APPLICATION

Type or print using dark ink. For all dates, give month, day (if known), and year. Show dates as MM-DD-YYYY (for example, "January 31, 2006" = "01-31-2006"). If you need more space to answer any of the items, continue on separate sheets of paper and attach them to this form. Indicate the number of the item(s) you are answering and include your name and social security number (SSN) on all attached pages.

Sign and date the form. Then, send the completed form and any attachments to the address in Section 8.

SECTION 5: DEFINITIONS

- The **Federal Family Education Loan (FFEL) Program** includes Federal Stafford Loans (both subsidized and unsubsidized), Federal Supplemental Loans for Students (SLS), Federal PLUS Loans, and Federal Consolidation Loans.
- The **William D. Ford Federal Direct Loan (Direct Loan) Program** includes Federal Direct Stafford/Ford Loans (Direct Subsidized Loans), Federal Direct Unsubsidized Stafford/Ford Loans (Direct Unsubsidized Loans), Federal Direct PLUS Loans (Direct PLUS Loans), and Federal Direct Consolidation Loans (Direct Consolidation Loans).
- The **Federal Perkins Loan (Perkins Loan) Program** includes Federal Perkins Loans and National Direct Student Loans (NDSL).
- The **date a school closed** is the date that the school stopped providing educational instruction in **all programs**, as determined by the U.S. Department of Education (the Department).
- The **holder** of a borrower's FFEL Program loan(s) may be a lender, a guaranty agency, or the Department. The holder of a borrower's Direct Loan Program loan(s) is the Department. The holder of a borrower's Perkins Loan Program loan(s) may be the Department or a school.
- **Loan discharge** due to school closure cancels the obligation of a borrower (and endorser, if applicable) to repay the remaining balance on a FFEL Program, Direct Loan Program, or Perkins Loan Program loan, and qualifies the borrower for reimbursement of any amounts paid voluntarily or through forced collection on the loan. For consolidation loans, only the amount of the underlying loans (the loans that were consolidated) that were used to pay for the program of study listed in Item 7 will be considered for discharge. The loan holder reports the discharge to all credit reporting agencies to which the holder previously reported the status of the loan.
- The **student** refers to the student for whom a parent borrower obtained a Federal PLUS Loan or Direct PLUS Loan.
- **Dates of attendance:** The "to" date means the last date that you (or, for PLUS borrowers, the student) actually attended the closed school.
- **Program of study** means the instructional program leading to a degree or certificate in which you (or, for PLUS borrowers, the student) were enrolled.
- **Third party** refers to any entity that may provide reimbursement for a refund owed by the school, such as a tuition recovery program or performance bond.

SECTION 6: TERMS AND CONDITIONS FOR LOAN DISCHARGE BASED ON SCHOOL CLOSURE

- I received FFEL Program, Direct Loan Program, or Perkins Loan Program loan funds on or after January 1, 1986, to attend (or, if I am a PLUS borrower, for the student to attend) the school identified as "closed school" in Section 2 of this form. Those funds were either received by me directly, or applied as a credit to the amount owed to the school. I (or, if I am a PLUS borrower, the student) was enrolled at that school or on an approved leave of absence on the date that it closed, or withdrew from the school not more than 90 days before it closed (or longer if authorized by the Department). Due to the school's closure, I (or, if I am a PLUS borrower, the student) did not complete the program of study at that school. I (or, if I am a PLUS borrower, the student) did not complete and am not in the process of completing that program of study or a comparable program at another school by transferring credits or hours earned at the closed school to another school, or by any other means by which I (or, if I am a PLUS borrower, the student) benefited from the training provided by the closed school.
- I will provide, upon request, testimony, a sworn statement, or other documentation reasonably available to me that demonstrates to the satisfaction of the Department or its designee that I meet the qualifications for loan discharge based on school closure, or that supports any representation that I made on this form or on any accompanying documents.
- I agree to cooperate with the Department or its designee regarding any enforcement actions related to my request for loan discharge.
- I understand that my request for loan discharge may be denied, or my discharge may be revoked if I fail to provide testimony, a sworn statement, or documentation upon request, or if I provide testimony, a sworn statement, or documentation that does not support the material representations I have made, or if I (or, if I am a PLUS borrower, the student) completed or am in the process of completing the program of study or a comparable program at another school through transfer of credits or hours from the closed school or by any other means by which I (or, if I am a PLUS borrower, the student) benefited from the training provided by the closed school.
- I further understand that if my loan(s) are discharged based on any false, fictitious, or fraudulent statements that I knowingly made on this form or on any accompanying documents, I may be subject to civil and criminal penalties under applicable federal law.
- I hereby assign and transfer to the Department any right to a refund on the discharged loan(s) that I may have from the school identified in Section 2 of this form and/or any owners, affiliates, or assigns of the school, and from any third party that may pay claims for a refund because of the actions of the school, up to the amounts discharged by the Department on my loan(s).

SECTION 7: IMPORTANT NOTICES

Privacy Act Disclosure Notice: The Privacy Act of 1974 (5 U.S.C. 552a) requires that the following notice be provided to you: The authorities for collecting the requested information from and about you are §428(b)(2)(A) *et seq.*, §451 *et seq.*, and §461 *et seq.* of the Higher Education Act of 1965, as amended (20 U.S.C. 1078(b)(2)(A) *et seq.*, 20 U.S.C. 1087a *et seq.*, and 20 U.S.C. 1087aa *et seq.*) and the authority for collecting and using your Social Security Number (SSN) is §484(a)(4) of the HEA (20 U.S.C. 1091(a)(4)). Participating in the Federal Family Education Loan (FFEL) Program, the William D. Ford Federal Direct Loan (Direct Loan) Program, or the Federal Perkins Loan (Perkins Loan) Program and giving us your SSN are voluntary, but you must provide the requested information, including your SSN, to participate.

The principal purposes for collecting the information on this form, including your SSN, are to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan (such as a deferment, forbearance, discharge, or forgiveness) under the FFEL, Direct Loan, and/or Perkins Loan Programs, to permit the servicing of your loan(s), and, if it becomes necessary, to locate you and to collect on your loan(s) if your loan(s) become delinquent or in default. We also use your SSN as an account identifier and to permit you to access your account information electronically.

The information in your file may be disclosed to third parties as authorized under routine uses in the appropriate systems of records. The routine uses of this information include its disclosure to federal, state, or local agencies, to other federal agencies under computer matching programs, to agencies that we authorize to assist us in administering our loan programs, to private parties such as relatives, present and former employers, business and personal associates, to credit bureau organizations, to financial and educational institutions, to guaranty agencies, and to contractors in order to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan, to permit the servicing or collection of your loan(s), to counsel you in repayment efforts, to enforce the terms of the loan(s), to investigate possible fraud and to verify compliance with federal student financial aid program regulations, to locate you if you become delinquent in your loan payments or if you default, to provide default rate calculations, to provide financial aid history information, to assist program administrators with tracking refunds and cancellations, or to provide a standardized method for educational institutions efficiently to submit student enrollment status.

In the event of litigation, we may send records to the Department of Justice, a court, adjudicative body, counsel, party, or witness if the disclosure is relevant and necessary to the litigation. If this information, either alone or with other information, indicates a potential violation of law, we may send it to the appropriate authority for action. We may send information to members of Congress if you ask them to help you with federal student aid questions. In circumstances involving employment complaints, grievances, or disciplinary actions, we may disclose relevant records to adjudicate or investigate the issues. If provided for by a collective bargaining agreement, we may disclose records to a labor organization recognized under 5 U.S.C. Chapter 71. Disclosures may also be made to qualified researchers under Privacy Act safeguards.

Paperwork Reduction Notice: According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for this information collection is 1845-0015. The time required to complete this information collection is estimated to average 0.5 hours (30 minutes) per response, including the time to review instructions, search existing data resources, gather and maintain the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this application, please write to:** U.S. Department of Education, Washington, DC 20202-4651.

If you have questions regarding the status of your individual submission of this application, contact your loan holder (see Section 8).

SECTION 8: WHERE TO SEND THE COMPLETED LOAN DISCHARGE APPLICATION

Send the completed loan discharge application and any attachments to:
(If no address is shown, return to your loan holder.)

If you need help completing this form, call:



LOAN DISCHARGE APPLICATION: FALSE CERTIFICATION (ABILITY TO BENEFIT)

Federal Family Education Loan Program / William D. Ford Federal Direct Loan Program

WARNING: Any person who knowingly makes a false statement or misrepresentation on this form or on any accompanying documents will be subject to penalties which may include fines, imprisonment or both, under the U.S. Criminal Code and 20 U.S.C. 1097.

OMB No. 1845-0015
Form Approved
Exp. Date 08/31/2008

SECTION 1: BORROWER IDENTIFICATION

Please enter or correct the following information.

SSN |__|_|_|-|__|_|-|__|_|_|_|_|

Name _____

Address _____

City, State, Zip _____

Telephone - Home () _____

Telephone - Other () _____

E-mail (optional) _____

SECTION 2: STUDENT INFORMATION

Before completing this section, carefully read the entire form, including the instructions, definitions, and terms and conditions in Sections 4, 5, and 6 on this form. If you are a student borrower applying for loan discharge, begin with Item 3. If you are a parent borrower applying for a PLUS loan discharge, begin with Item 1.

1. Student's name (last, first, middle initial): _____

2. Student's SSN: |__|_|_|-|__|_|-|__|_|_|_|_|

3. School's name: _____

4. School's address (street, city, state, zip): _____

5. Dates of attendance at the school: From |__|_|_|-|__|_|_|-|__|_|_|_|_| To |__|_|_|-|__|_|_|-|__|_|_|_|_|

6. Name of the program of study that you (or, for PLUS borrowers, the student) were enrolled in at the school: _____

7. Did you (or, for PLUS borrowers, the student) have a high school diploma or GED at the time of enrollment at the school?
 Yes No **NOTE: If Yes, you are not eligible for a loan discharge based on false certification of ability to benefit.**

8. Did you (or, for PLUS borrowers, the student) receive a GED before completing the program of study at the school?
 Yes No If Yes, date GED received: |__|_|_|-|__|_|_|-|__|_|_|_|_|

9. Before you (or, for PLUS borrowers, the student) were admitted to the school, did the school give an entrance examination to test your (or, for PLUS borrowers, the student's) ability to benefit from the program of study listed in Item 6?
 Yes No Don't Know If No or Don't Know, go to Item 10.

(a) Give the date of the test if you know it:
|__|_|_|-|__|_|_|-|__|_|_|_|_|

(b) Give the name of the test if you know it: _____

(c) Give the score on the test if you know it: _____

(d) Did anything appear improper about the way the test was given or scored? Yes No
If Yes, explain in detail what appeared improper, and provide the name, telephone number and address of anyone who can support your statement (if you need more space, see the instructions in Section 4): _____

10. Did you (or, for PLUS borrowers, the student) complete a developmental or remedial program at the school?
 Yes No Don't Know If Yes, list the program name, dates, courses, and grades earned: _____

11. Did the holder of your loan receive any money back (a refund) from the school on your behalf? Yes No Don't Know
If Yes, give the amount and explain why the money was refunded: _____

12. Did you (or, for PLUS borrowers, the student) make any monetary claim with, or receive any payment from, the school or any third party (see definition in Section 5) in connection with enrollment or attendance at the school? Yes No Don't know If Yes, please provide the following information:

(a) Name/address/telephone number of the party with whom the claim was made or from whom payment was received: _____

(b) Amount/status of claim: _____

(c) Amount of payment received: \$ _____
(Write "none" if no payment was received.)

SECTION 3: BORROWER CERTIFICATION

My signature below certifies that I have read and agree to the terms and conditions that apply to this loan discharge, as specified in Section 6 on the following page. Under penalty of perjury, I certify that all of the information I have provided on this form and in any accompanying documentation is true and accurate to the best of my knowledge and belief.

Borrower's Signature: _____ Date: _____

SECTION 4: INSTRUCTIONS FOR COMPLETING THE APPLICATION

Type or print using dark ink. For all dates, give month, day (if known), and year. Show dates as MM-DD-YYYY (for example, "January 31, 2006" = "01-31-2006"). If you need more space to answer any of the items, continue on separate sheets of paper and attach them to this form. Indicate the number of the item(s) you are answering and include your name and social security number (SSN) on all attached pages.

Sign and date the form. Then, send the completed form and any attachments to the address in Section 8.

SECTION 5: DEFINITIONS

- The **Federal Family Education Loan (FFEL) Program** includes Federal Stafford Loans (both subsidized and unsubsidized), Federal Supplemental Loans for Students (SLS), Federal PLUS Loans, and Federal Consolidation Loans.
- The **William D. Ford Federal Direct Loan (Direct Loan) Program** includes Federal Direct Stafford/Ford Loans (Direct Subsidized Loans), Federal Direct Unsubsidized Stafford/Ford Loans (Direct Unsubsidized Loans), Federal Direct PLUS Loans (Direct PLUS Loans), and Federal Direct Consolidation Loans (Direct Consolidation Loans).
- The **holder** of a borrower's FFEL Program loan(s) may be a lender, a guaranty agency, or the U.S. Department of Education (the Department). The holder of a borrower's Direct Loan Program loan(s) is the Department.
- **Loan discharge** due to false certification of ability to benefit cancels the obligation of a borrower (and endorser, if applicable) to repay the remaining balance on a FFEL Program or Direct Loan Program loan, and qualifies the borrower for reimbursement of any amounts paid voluntarily or through forced collection on the loan. For consolidation loans, only the amount of the underlying loans (the loans that were consolidated) that were used to pay for the program of study listed in Item 6 will be considered for discharge. The loan holder reports the discharge to all credit reporting agencies to which the holder previously reported the status of the loan.
- The **student** refers to the student for whom a parent borrower obtained a Federal PLUS Loan or Direct PLUS Loan.
- **Program of study** means the instructional program leading to a degree or certificate in which you (or, for PLUS borrowers, the student) were enrolled.
- **Third party** refers to any entity that may provide reimbursement for a refund owed by the school, such as a tuition recovery program or performance bond.

SECTION 6: TERMS AND CONDITIONS FOR LOAN DISCHARGE BASED ON FALSE CERTIFICATION (DISQUALIFYING STATUS)

- I received FFEL Program or Direct Loan Program loan funds on or after January 1, 1986, to attend (or, if I am a PLUS borrower, for the student to attend) the school identified in Section 2 of this form. Those funds were either received by me directly, or applied as a credit to the amount owed to the school.
- I will provide, upon request, testimony, a sworn statement, or other documentation reasonably available to me that demonstrates to the satisfaction of the Department or its designee that I meet the qualifications for loan discharge based on false certification of ability to benefit, or that supports any representation that I made on this form or on any accompanying documents.
- I agree to cooperate with the Department or its designee regarding any enforcement actions related to my request for loan discharge.
- I understand that my request for loan discharge may be denied, or my discharge may be revoked, if I fail to provide testimony, a sworn statement, or documentation upon request, or if I provide testimony, a sworn statement, or documentation that does not support the material representations I have made on this form or on any accompanying documents.
- I further understand that if my loan(s) is discharged based on any false, fictitious, or fraudulent statements that I knowingly made on this form or on any accompanying documents, I may be subject to civil and criminal penalties under applicable federal law.
- I hereby assign and transfer to the Department any right to a refund on the discharged loan(s) that I may have from the school identified in Section 2 of this form and/or any owners, affiliates, or assigns of the school, and from any third party that may pay claims for a refund because of the actions of the school, up to the amounts discharged by the Department on my loan(s).

SECTION 7: IMPORTANT NOTICES

Privacy Act Disclosure Notice: The Privacy Act of 1974 (5 U.S.C. 552a) requires that the following notice be provided to you:

The authorities for collecting the requested information from and about you are 428(b)(2)(A) *et seq.* and 451 *et seq.* of the Higher Education Act of 1965, as amended (20 U.S.C. 1078(b)(2)(A) *et seq.* and 20 U.S.C. 1087a *et seq.*) and the authority for collecting and using your Social Security Number (SSN) is 484(a)(4) of the HEA (20 U.S.C. 1091(a)(4)). Participating in the Federal Family Education Loan (FFEL) Program or the William D. Ford Federal Direct Loan (Direct Loan) Program and giving us your SSN are voluntary, but you must provide the requested information, including your SSN, to participate.

The principal purposes for collecting the information on this form, including your SSN, are to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan (such as a deferment, forbearance, discharge, or forgiveness) under the FFEL Program and/or Direct Loan Program, to permit the servicing of your loan(s), and, if it becomes necessary, to locate you and to collect on your loan(s) if your loan(s) becomes delinquent or in default. We also use your SSN as an account identifier and to permit you to access your account information electronically.

The information in your file may be disclosed to third parties as authorized under routine uses in the appropriate systems of records. The routine uses of this information include its disclosure to federal, state, or local agencies, to other federal agencies under computer matching programs, to agencies that we authorize to assist us in administering our loan programs, to private parties such as relatives, present and former employers, business and personal associates, to credit bureau organizations, to financial and educational institutions, to guaranty agencies, and to contractors in order to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan, to permit the servicing or collection of your loan(s), to counsel you in repayment efforts, to enforce the terms of the loan(s), to investigate possible fraud and to verify compliance with federal student financial aid program regulations, to locate you if you become delinquent in your loan payments or if you default, to provide default rate calculations, to provide financial aid history information, to assist program administrators with tracking refunds and cancellations, or to provide a standardized method for educational institutions efficiently to submit student enrollment status.

In the event of litigation, we may send records to the Department of Justice, a court, adjudicative body, counsel, party, or witness if the disclosure is relevant and necessary to the litigation. If this information, either alone or with other information, indicates a potential violation of law, we may send it to the appropriate authority for action. We may send information to members of Congress if you ask them to help you with federal student aid questions. In circumstances involving employment complaints, grievances, or disciplinary actions, we may disclose relevant records to adjudicate or investigate the issues. If provided for by a collective bargaining agreement, we may disclose records to a labor organization recognized under 5 U.S.C. Chapter 71. Disclosures may also be made to qualified researchers under Privacy Act safeguards.

Paperwork Reduction Notice: According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for this information collection is 1845-0015. The time required to complete this information collection is estimated to average 0.5 hours (30 minutes) per response, including the time to review instructions, search existing data resources, gather and maintain the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this application, please write to:** U.S. Department of Education, Washington, DC 20202-4651.

If you have questions regarding the status of your individual submission of this application, contact your loan holder (see Section 8).

SECTION 8: WHERE TO SEND THE COMPLETED LOAN DISCHARGE APPLICATION

Send the completed loan discharge application and any attachments to:
(If no address is shown, return to your loan holder.)

If you need help completing this form, call:



LOAN DISCHARGE APPLICATION: FALSE CERTIFICATION (DISQUALIFYING STATUS)

OMB No. 1845-0015
Form Approved
Exp. Date 08/31/2008

Federal Family Education Loan Program / William D. Ford Federal Direct Loan Program

WARNING: Any person who knowingly makes a false statement or misrepresentation on this form or on any accompanying documents will be subject to penalties which may include fines, imprisonment or both, under the U.S. Criminal Code and 20 U.S.C. 1097.

SECTION 1: BORROWER IDENTIFICATION

Please enter or correct the following information.

SSN |__|__|__|-|__|__|-|__|__|__|__|

Name _____

Address _____

City, State, Zip _____

Telephone - Home () _____

Telephone - Other () _____

E-mail (optional) _____

SECTION 2: STUDENT INFORMATION

Before completing this section, carefully read the entire form, including the instructions, definitions, and terms and conditions in Sections 4, 5, and 6 on this form. If you are a student borrower applying for loan discharge, begin with Item 3. If you are a parent borrower applying for a PLUS loan discharge, begin with Item 1.

1. Student's name (last, first, middle initial): _____

2. Student's SSN: |__|__|__|-|__|__|-|__|__|__|__|

3. School's name: _____

4. School's address (street, city, state, zip): _____

5. Dates of attendance at the school: From |__|__|-|__|__|-|__|__|__|__| To |__|__|-|__|__|-|__|__|__|__|

6. Name of the program of study that you (or, for PLUS borrowers, the student) were enrolled in when the school certified or originated the loan that you are requesting to have discharged: _____

7. To qualify for a loan discharge based on false certification due to a disqualifying status, you (or, for PLUS borrowers, the student) must have been unable – at the time the school certified or originated your loan – to meet the **legal requirements for employment** in your state of residence (or, for PLUS borrowers, in the student's state of residence) in the occupation for which the program of study was intended because of age, a physical or mental condition, criminal record, or other reason. Indicate your disqualifying status by checking the appropriate box(es) below:

- Age
 Physical condition
 Mental condition
 Criminal record
 Other (please specify): _____

Important: You must provide documentation to prove that you (or, for PLUS borrowers, the student) had the disqualifying status at the time the school certified or originated your loan. **Also, provide as much information as possible about the state legal requirements for employment that you (or, for PLUS borrowers, the student) could not meet. Include the title and/or section number of the specific state law or regulation, or attach a copy of the law or regulation.** You may obtain this information from the appropriate state agency, such as the consumer protection office or department of labor and employment, from a public library, or from an internet site that contains state laws and regulations.

8. (a) Before certifying or originating the loan, did the school ask you (or, for PLUS borrowers, the student) if the disqualifying status explained in Item 7 existed?
 Yes No Don't Know

(b) Did you (or, for PLUS borrowers, the student) inform the school of the disqualifying status before the loan was certified or originated?
 Yes No

9. Did the holder of your loan receive any money back (a refund) from the school on your behalf? Yes No Don't Know

If Yes, give the amount and explain why the money was refunded: _____

10. Did you (or, for PLUS borrowers, the student) make any monetary claim with, or receive any payment from, the school or any third party (see definition in Section 5) in connection with enrollment or attendance at the school? Yes No Don't Know If Yes, please provide the following information:

(a) Name/address/telephone number of the party with whom the claim was made or from whom payment was received: _____

Amount/status of claim: _____

(c) Amount of payment received: \$ _____
(Write "none" if no payment was received.)

SECTION 3: BORROWER CERTIFICATION

My signature below certifies that I have read and agree to the terms and conditions that apply to this loan discharge, as specified in Section 6 on the following page. Under penalty of perjury, I certify that all of the information I have provided on this form and in any accompanying documentation is true and accurate to the best of my knowledge and belief.

Borrower's Signature: _____ **Date:** _____

SECTION 4: INSTRUCTIONS FOR COMPLETING THE APPLICATION

Type or print using dark ink. For all dates, give month, day (if known), and year. Show dates as MM-DD-YYYY (for example, "January 31, 2006" = "01-31-2006"). If you need more space to answer any of the items, continue on separate sheets of paper and attach them to this form. Indicate the number of the item(s) you are answering and include your name and social security number (SSN) on all attached pages.

Sign and date the form. Then, send the completed form and any attachments to the address in Section 8.

SECTION 5: DEFINITIONS

- The **Federal Family Education Loan (FFEL) Program** includes Federal Stafford Loans (both subsidized and unsubsidized), Federal Supplemental Loans for Students (SLS), Federal PLUS Loans, and Federal Consolidation Loans.
- The **William D. Ford Federal Direct Loan (Direct Loan) Program** includes Federal Direct Stafford/Ford Loans (Direct Subsidized Loans), Federal Direct Unsubsidized Stafford/Ford Loans (Direct Unsubsidized Loans), Federal Direct PLUS Loans (Direct PLUS Loans), and Federal Direct Consolidation Loans (Direct Consolidation Loans).
- The **holder** of a borrower's FFEL Program loan(s) may be a lender, a guaranty agency, or the U.S. Department of Education (the Department). The holder of a borrower's Direct Loan Program loan(s) is the Department.
- **Loan discharge** due to false certification (disqualifying status) cancels the obligation of a borrower (and endorser, if applicable) to repay the remaining balance on a FFEL Program or Direct Loan Program loan, and qualifies the borrower for reimbursement of any amounts paid voluntarily or through forced collection on the loan. For consolidation loans, only the amount of the underlying loans (the loans that were consolidated) that were used to pay for the program of study listed in Item 6 will be considered for discharge. The loan holder reports the discharge to all credit reporting agencies to which the holder previously reported the status of the loan.
- The **student** refers to the student for whom a parent borrower obtained a Federal PLUS loan or Direct PLUS Loan.
- **Program of study** means the instructional program leading to a degree or certificate in which you (or, for PLUS borrowers, the student) were enrolled.
- **Certification and origination** are steps in a school's processing of a loan. In the FFEL Program, a loan is **certified** when the school signs a loan application or submits an electronic loan record to the lender or guaranty agency after determining that the borrower meets all loan eligibility requirements. In the Direct Loan Program, a loan is **originated** when the school creates an electronic loan origination record after determining that the borrower meets all loan eligibility requirements.
- **Third party** refers to any entity that may provide reimbursement for a refund owed by the school, such as a tuition recovery program or performance bond.

SECTION 6: TERMS AND CONDITIONS FOR LOAN DISCHARGE BASED ON FALSE CERTIFICATION (ABILITY TO BENEFIT)

- I received FFEL or Direct Loan program loan funds on or after January 1, 1986, to attend (or, if I am a PLUS borrower, for the student to attend) the school identified in Section 2 of this form. Those funds were either received by me directly, or applied as a credit to the amount owed to the school.
- I will provide, upon request, testimony, a sworn statement, or other documentation reasonably available to me that demonstrates to the satisfaction of the Department or its designee that I meet the qualifications for loan discharge based on false certification (disqualifying status), or that supports any representation that I made on this form or on any accompanying documents.
- I agree to cooperate with the Department or its designee regarding any enforcement actions related to my request for loan discharge.
- I understand that my request for loan discharge may be denied, or my discharge may be revoked, if I fail to provide testimony, a sworn statement, or documentation upon request, or if I provide testimony, a sworn statement, or documentation that does not support the material representations I have made on this form or on any accompanying documents.
- I further understand that if my loan(s) is discharged based on any false, fictitious, or fraudulent statements that I knowingly made on this form or on any accompanying documents, I may be subject to civil and criminal penalties under applicable federal law.
- I hereby assign and transfer to the Department any right to a refund on the discharged loan(s) that I may have from the school identified in Section 2 of this form and/or any owners, affiliates, or assigns of the school, and from any third party that may pay claims for a refund because of the actions of the school, up to the amounts discharged by the Department on my loan(s).

SECTION 7: IMPORTANT NOTICES

Privacy Act Disclosure Notice: The Privacy Act of 1974 (5 U.S.C. 552a) requires that the following notice be provided to you:

The authorities for collecting the requested information from and about you are 428(b)(2)(A) *et seq.* and 451 *et seq.* of the Higher Education Act of 1965, as amended (20 U.S.C. 1078(b)(2)(A) *et seq.* and 20 U.S.C. 1087a *et seq.*) and the authority for collecting and using your Social Security Number (SSN) is 484(a)(4) of the HEA (20 U.S.C. 1091(a)(4)). Participating in the Federal Family Education Loan (FFEL) Program or the William D. Ford Federal Direct Loan (Direct Loan) Program and giving us your SSN are voluntary, but you must provide the requested information, including your SSN, to participate.

The principal purposes for collecting the information on this form, including your SSN, are to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan (such as a deferment, forbearance, discharge, or forgiveness) under the FFEL Program and/or Direct Loan Program, to permit the servicing of your loan(s), and, if it becomes necessary, to locate you and to collect on your loan(s) if your loan(s) becomes delinquent or in default. We also use your SSN as an account identifier and to permit you to access your account information electronically.

The information in your file may be disclosed to third parties as authorized under routine uses in the appropriate systems of records. The routine uses of this information include its disclosure to federal, state, or local agencies, to other federal agencies under computer matching programs, to agencies that we authorize to assist us in administering our loan programs, to private parties such as relatives, present and former employers, business and personal associates, to credit bureau organizations, to financial and educational institutions, to guaranty agencies, and to contractors in order to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan, to permit the servicing or collection of your loan(s), to counsel you in repayment efforts, to enforce the terms of the loan(s), to investigate possible fraud and to verify compliance with federal student financial aid program regulations, to locate you if you become delinquent in your loan payments or if you default, to provide default rate calculations, to provide financial aid history information, to assist program administrators with tracking refunds and cancellations, or to provide a standardized method for educational institutions efficiently to submit student enrollment status.

In the event of litigation, we may send records to the Department of Justice, a court, adjudicative body, counsel, party, or witness if the disclosure is relevant and necessary to the litigation. If this information, either alone or with other information, indicates a potential violation of law, we may send it to the appropriate authority for action. We may send information to members of Congress if you ask them to help you with federal student aid questions. In circumstances involving employment complaints, grievances, or disciplinary actions, we may disclose relevant records to adjudicate or investigate the issues. If provided for by a collective bargaining agreement, we may disclose records to a labor organization recognized under 5 U.S.C. Chapter 71. Disclosures may also be made to qualified researchers under Privacy Act safeguards.

Paperwork Reduction Notice: According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for this information collection is 1845-0015. The time required to complete this information collection is estimated to average 0.5 hours (30 minutes) per response, including the time to review instructions, search existing data resources, gather and maintain the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this application, please write to: U.S. Department of Education, Washington, DC 20202-4651.**

If you have questions regarding the status of your individual submission of this application, contact your loan holder (see Section 8).

SECTION 8: WHERE TO SEND THE COMPLETED LOAN DISCHARGE APPLICATION

Send the completed loan discharge application and any attachments to:
(If no address is shown, return to your loan holder.)

If you need help completing this form, call:



LOAN DISCHARGE APPLICATION: FALSE CERTIFICATION (UNAUTHORIZED SIGNATURE / UNAUTHORIZED PAYMENT)

OMB No. 1845-0015
Form Approved
Exp. Date 08/31/2008

Federal Family Education Loan Program / William D. Ford Federal Direct Loan Program

WARNING: Any person who knowingly makes a false statement or misrepresentation on this form or on any accompanying documents will be subject to penalties which may include fines, imprisonment or both, under the U.S. Criminal Code and 20 U.S.C. 1097.

SECTION 1: BORROWER IDENTIFICATION

Please enter or correct the following information.

SSN |__|_|_|-|__|_|-|__|_|_|_|_|

Name _____

Address _____

City, State, Zip _____

Telephone - Home () _____

Telephone - Other () _____

E-mail (optional) _____

SECTION 2: STUDENT INFORMATION

Before completing this section, carefully read the entire form, including the instructions, definitions, and terms and conditions in Sections 4, 5, and 6 on this form. If you are a student borrower applying for loan discharge, begin with Item 3. If you are a parent borrower applying for a PLUS loan discharge, begin with Item 1.

1. Student's name (last, first, middle initial): _____

2. Student's SSN: |__|_|_|-|__|_|-|__|_|_|_|_|

3. School's name: _____

4. School's address (street, city, state, zip): _____

5. Dates of attendance at the school: From |__|_|_|-|__|_|_|-|__|_|_|_|_| To |__|_|_|-|__|_|_|-|__|_|_|_|_|

6. Did you sign the application, promissory note, master promissory note (MPN), or combined application/promissory note for your loan(s)? Yes No
If No, on which document(s) did someone else sign your name? Application Promissory note MPN Combined application/promissory note

7. Did you endorse each loan check or sign your name on each electronic funds transfer authorization or master check authorization?

Yes No Does Not Apply

If No, on which document(s) did someone else sign your name? Loan check Electronic funds transfer authorization Master check authorization

If No, did you (or, for PLUS borrowers, the student) ever receive any money from the school, or did the school ever reduce the amount of money that you (or, for PLUS borrowers, the student) owed to the school? Yes No Don't Know If Yes, explain (give dates, amounts, and circumstances): _____

If No or Don't Know, explain how you (or, for PLUS borrowers, the student) paid the tuition and fees owed to the school: _____

8. If you answered No to Item 6 or Item 7, do you know who signed your name on the document(s) checked in Item 6 or Item 7?

Yes No If Yes, identify the person who signed your name on the document(s).

School employee or representative (name and position): _____

Other person (name): _____

Provide any other information about the circumstances under which another person signed your name: _____

IMPORTANT: If you did not sign your name on one of the documents listed in Item 6 or Item 7, you must attach documents containing four other samples of your signature in addition to the signature on this application. At least two of these samples must clearly show that your signatures were written within one year before or after the date of the document on which someone else signed your name. Examples of documents that would include both a signature sample and the date that the signature was written include—but are not limited to—cancelled checks, tax returns, and driver's licenses. If you do not provide these signature samples, you cannot be considered for a loan discharge.

9. Did the holder of your loan receive any money back (a refund) from the school on your behalf? Yes No Don't Know

If Yes, give the amount and explain why the money was refunded: _____

10. Did you (or, for PLUS borrowers, the student) make any monetary claim with, or receive any payment from, the school or any third party (see definition in Section 5) in connection with enrollment or attendance at the school? Yes No Don't Know If Yes, please provide the following information:

a) Name/address/telephone number of the party with whom the claim was made or from whom payment was received: _____

b) Amount/status of claim: _____

c) Amount of payment received: \$ _____
(Write "none" if no payment was received.)

SECTION 3: BORROWER CERTIFICATION

My signature below certifies that I have read and agree to the terms and conditions that apply to this loan discharge, as specified in Section 6 on the following page. Under penalty of perjury, I certify that all of the information I have provided on this form and in any accompanying documentation is true and accurate to the best of my knowledge and belief.

Borrower's Signature: _____ Date: _____

SECTION 4: INSTRUCTIONS FOR COMPLETING THE APPLICATION

Type or print using dark ink. For all dates, give month, day (if known), and year. Show dates as MM-DD-YYYY (for example, "January 31, 2006" = "01-31-2006"). If you need more space to answer any of the items, continue on separate sheets of paper and attach them to this form. Indicate the number of the item(s) you are answering and include your name and social security number (SSN) on all attached pages.

Sign and date the form. Then, send the completed form and any attachments to the address in Section 8.

SECTION 5: DEFINITIONS

- The **Federal Family Education Loan (FFEL) Program** includes Federal Stafford Loans (both subsidized and unsubsidized), Federal Supplemental Loans for Students (SLS), Federal PLUS Loans, and Federal Consolidation Loans.
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- The **holder** of a borrower's FFEL Program loan(s) may be a lender, a guaranty agency, or the U.S. Department of Education (the Department). The holder of a borrower's Direct Loan Program loan(s) is the Department.
- **Unauthorized signature** means that the school, without the borrower's authorization, signed the borrower's name on a loan application or promissory note.
- **Unauthorized payment** means that the school, without the borrower's authorization, endorsed the borrower's loan check or signed the borrower's authorization for electronic funds transfer or master check, and did not give the loan proceeds to the borrower or apply the loan proceeds to charges owed by the student to the school.
- **Loan discharge** due to an unauthorized signature on a loan application or promissory note cancels the obligation of a borrower (and endorser, if applicable) to repay the remaining balance on a FFEL Program or Direct Loan Program loan, and qualifies the borrower for reimbursement of any amounts paid voluntarily or through forced collection on the loan. Discharge due to an unauthorized signature on a loan check, electronic funds transfer authorization, or master check authorization applies only to the amount of the unauthorized payment. For consolidation loans, only the loan amounts associated with the document listed in Section 2, Item 6 or Item 7, will be considered for discharge. The loan holder reports the discharge to all credit reporting agencies to which the holder previously reported the status of the loan.
- The **student** refers to the student for whom a parent borrower obtained a Federal PLUS Loan or Direct PLUS Loan.
- **Third party** refers to any entity that may provide reimbursement for a refund owed by the school, such as a tuition recovery program or performance bond.

SECTION 6: TERMS AND CONDITIONS FOR LOAN DISCHARGE BASED ON FALSE CERTIFICATION (UNAUTHORIZED SIGNATURE/UNAUTHORIZED PAYMENT)

- The school identified in Section 2 of this form received FFEL Program or Direct Loan Program loan funds on or after January 1, 1986 for me to attend (or, if I am a PLUS borrower, for the student to attend) the school. I am applying for a discharge of my FFEL Program or Direct Loan Program loan(s) because the loan application, promissory note, master promissory note, combined application/promissory note, loan disbursement check, electronic funds transfer authorization, or master check authorization were not authorized for the reasons stated in this application.
- I will provide, upon request, testimony, a sworn statement, or other documentation reasonably available to me that demonstrates to the satisfaction of the Department or its designee that I meet the qualifications for loan discharge based on unauthorized signature / unauthorized payment, or that supports any representation that I made on this form or on any accompanying documents.
- I agree to cooperate with the Department or its designee regarding any enforcement actions related to my request for loan discharge.
- I understand that my request for loan discharge may be denied, or my discharge may be revoked, if I fail to provide testimony, a sworn statement, or documentation upon request, or if I provide testimony, a sworn statement, or documentation that does not support the material representations I have made on this form or on any accompanying documents.
- I further understand that if my loan(s) is discharged based on any false, fictitious, or fraudulent statements that I knowingly made on this form or on any accompanying documents, I may be subject to civil and criminal penalties under applicable federal law.
- I hereby assign and transfer to the Department any right to a refund on the discharged loan(s) that I may have from the school identified in Section 2 of this form and/or any owners, affiliates, or assigns of the school, and from any third party that may pay claims for a refund because of the actions of the school, up to the amounts discharged by the Department on my loan(s).

SECTION 7: IMPORTANT NOTICES

Privacy Act Disclosure Notice: The Privacy Act of 1974 (5 U.S.C. 552a) requires that the following notice be provided to you:

The authorities for collecting the requested information from and about you are 428(b)(2)(A) *et seq.* and 451 *et seq.* of the Higher Education Act of 1965, as amended (20 U.S.C. 1078(b)(2)(A) *et seq.* and 20 U.S.C. 1087a *et seq.*) and the authority for collecting and using your Social Security Number (SSN) is 484(a)(4) of the HEA (20 U.S.C. 1091(a)(4)). Participating in the Federal Family Education Loan (FFEL) Program or the William D. Ford Federal Direct Loan (Direct Loan) Program and giving us your SSN are voluntary, but you must provide the requested information, including your SSN, to participate.

The principal purposes for collecting the information on this form, including your SSN, are to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan (such as a deferment, forbearance, discharge, or forgiveness) under the FFEL Program and/or Direct Loan Program, to permit the servicing of your loan(s), and, if it becomes necessary, to locate you and to collect on your loan(s) if your loan(s) becomes delinquent or in default. We also use your SSN as an account identifier and to permit you to access your account information electronically.

The information in your file may be disclosed to third parties as authorized under routine uses in the appropriate systems of records. The routine uses of this information include its disclosure to federal, state, or local agencies, to other federal agencies under computer matching programs, to agencies that we authorize to assist us in administering our loan programs, to private parties such as relatives, present and former employers, business and personal associates, to credit bureau organizations, to financial and educational institutions, to guaranty agencies, and to contractors in order to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan, to permit the servicing or collection of your loan(s), to counsel you in repayment efforts, to enforce the terms of the loan(s), to investigate possible fraud and to verify compliance with federal student financial aid program regulations, to locate you if you become delinquent in your loan payments or if you default, to provide default rate calculations, to provide financial aid history information, to assist program administrators with tracking refunds and cancellations, or to provide a standardized method for educational institutions efficiently to submit student enrollment status.

In the event of litigation, we may send records to the Department of Justice, a court, adjudicative body, counsel, party, or witness if the disclosure is relevant and necessary to the litigation. If this information, either alone or with other information, indicates a potential violation of law, we may send it to the appropriate authority for action. We may send information to members of Congress if you ask them to help you with federal student aid questions. In circumstances involving employment complaints, grievances, or disciplinary actions, we may disclose relevant records to adjudicate or investigate the issues. If provided for by a collective bargaining agreement, we may disclose records to a labor organization recognized under 5 U.S.C. Chapter 71. Disclosures may also be made to qualified researchers under Privacy Act safeguards.

Paperwork Reduction Notice: According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for this information collection is 1845-0015. The time required to complete this information collection is estimated to average 0.5 hours (30 minutes) per response, including the time to review instructions, search existing data resources, gather and maintain the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this application, please write to:** U.S. Department of Education, Washington, DC 20202-4651.

If you have questions regarding the status of your individual submission of this application, contact your loan holder (see Section 8).

SECTION 8: WHERE TO SEND THE COMPLETED LOAN DISCHARGE APPLICATION

Send the completed loan discharge application and any attachments to:
(If no address is shown, return to your loan holder.)

If you need help completing this form, call: