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Bice (OK)
Bilirakis
Bishop (GA)
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Blumenauer
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Boebert
Bonamici
Bost
Bourdeaux
Bowman
Boyle, Brendan
F.
Brady
Brooks
Brown (MD)
Brown (OH)
Brounley
Buchanan
Bucshon
Budd
Burchett
Burgess
Bush
Bustos
Butterfield
Calvert
Cammack
Carbajal
Cárdenas
Carey
Carl
Carson
Carter (GA)
Carter (LA)
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Cartwright
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Cawthorn
Chabot
Cheney
Cherfilus-
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Ciilline
Clark (MA)
Clarke (NY)
Cleaver
Cline
Cloud
Clyburn
Cohen
Cole
Comer
Connolly
Conway
Cooper
Correa
Costa
Courtney
Craig
Crawford
Crenshaw
Crow
Cuellar
Curtis
Davids (KS)
Davidson
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DeBene
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donalds

Doyle, Michael
F.
Duncan
Dunn
Ellzey
Emmer
Escobar
Eshoo
Españolat
Estes
Evans
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fletcher
Flood
Flores
Foster
Foxy
Frankel, Lois
Franklin, C.
Scott
Gallagher
Gallego
Garamendi
Garbarino
Garcia (CA)
Garcia (IL)
Garcia (TX)
Gibbs
Gimenez
Gohmert
Golden
Gomez
Gonzales, Tony
Gonzalez (OH)
Gonzalez,
Vicente
Good (VA)
Gooden (TX)
Gottheimer
Granger
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Griffith
Grijalva
Grothman
Guest
Guthrie
Harder (CA)
Harris
Harshbarger
Hartzler
Hayes
Hern
Herrell
Herrera Beutler
Hice (GA)
Higgins (NY)
Hill
Himes
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Hollingsworth
Horsford
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Huffman
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Jackson Lee
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Maloney, Sean
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McClintock
McCollum
McEachin
McGovern
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Miller (WV)
Miller-Meeks
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Price (NC)
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Rice (NY)
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Rodgers (WA)
Rogers (AL)
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Ross
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
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Ryan (NY)
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Schiff
Schneider
Schradler
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Schweikert
Scott (VA)

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Fulcher

Demings
Kinzinger

Scott, Austin
Scott, David
Sempolinski
Sessions
Sewell
Sherman
Sherrill
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spartz
Speier
Stansbury
Stanton
Staubert
Steel
Stefanik
Steub
Stevens
Stewart
Strickland
Suzoi
Swalwell
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiffany
Timmons

NAYS—12

Gaetz
Gosar
Greene (GA)
Higgins (LA)

NOT VOTING—6

Lofgren
McCaul

□ 1425

Mr. HIGGINS of Louisiana changed his vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE
RESOLUTION 8, 117TH CONGRESS

Baird (Bucshon)	Kirkpatrick	Palazzo
Bass (Correa)	(Pallone)	(Fleischmann)
Boebert (Gaetz)	Lamb (Pallone)	Ruiz (Correa)
Chu (Beyer)	Lawrence	Rush (Bowman)
Conway	(Stevens)	Ryan (OH)
(Valadao)	McEachin	(Correa)
Garcia (IL)	(Beyer)	Sánchez
(Correa)	McHenry	(Pallone)
Gomez (Evans)	(Donalds)	Soto (Wasserman)
Gottheimer	Meng (Escobar)	Schultz
(Neguse)	Napolitano	Swalwell
Johnson (TX)	(Correa)	(Correa)
(Jeffries)	Newman (Beyer)	Vargas (Correa)
Jones (Beyer)		Waltz (Gimenez)

PERMISSION FOR MEMBER TO BE
CONSIDERED AS FIRST SPONSOR
OF H.R. 7353

Mr. WALBERG. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the first sponsor of H.R. 7353, a bill originally introduced by Representative WALORSKI of Indiana, for the purpose of adding co-sponsors and requesting reprintings pursuant to clause 7 of rule XII.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

□ 1430

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 2460

Mr. MURPHY of North Carolina. Mr. Speaker, I hereby remove my name as cosponsor of H.R. 2460.

The SPEAKER pro tempore. The gentleman's request is accepted.

JOINT CONSOLIDATION LOAN
SEPARATION ACT

Mr. SCOTT of Virginia. Mr. Speaker, pursuant to House Resolution 1361, I call up the bill (S. 1098) to amend the Higher Education Act of 1965 to authorize borrowers to separate joint consolidation loans and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1361, the bill is considered read.

The text of the bill is as follows:

S. 1098

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 “Joint Consolidation Loan Separation Act”.

SEC. 2. SEPARATING JOINT CONSOLIDATION LOANS.

(a) IN GENERAL.—Section 455(g) of the Higher Education Act of 1965 (20 U.S.C. 1087e(g)) is amended—

(1) by striking “A borrower” and inserting the following:

“(1) IN GENERAL.—A borrower”; and

(2) by adding at the end the following:

“(2) SEPARATING JOINT CONSOLIDATION LOANS.—

“(A) IN GENERAL.—

“(i) AUTHORIZATION.—A married couple, or 2 individuals who were previously a married couple, and who received a joint consolidation loan as such married couple under subparagraph (C) of section 428C(a)(3) (as such subparagraph was in effect on June 30, 2006), may apply to the Secretary, in accordance with subparagraph (C) of this paragraph, for each individual borrower in the married couple (or previously married couple) to receive a separate Federal Direct Consolidation Loan under this part.

“(ii) ELIGIBILITY FOR BORROWERS IN DEFAULT.—Notwithstanding any other provision of this Act, a married couple, or 2 individuals who were previously a married couple, who are in default on a joint consolidation loan may be eligible to receive a separate Federal Direct Consolidation Loan under this part in accordance with this paragraph.

“(B) SECRETARIAL REQUIREMENTS.—Notwithstanding section 428C(a)(3)(A) or any other provision of law, for each individual borrower who applies under subparagraph (A), the Secretary shall—

“(i) make a separate Federal Direct Consolidation Loan under this part that—

“(I) shall be for an amount equal to the product of—

“(aa) the unpaid principal and accrued unpaid interest of the joint consolidation loan (as of the date that is the day before such separate consolidation loan is made) and any outstanding charges and fees with respect to such loan; and

“(bb) the percentage of the joint consolidation loan attributable to the loans of the individual borrower for whom such separate consolidation loan is being made, as determined—

“(AA) on the basis of the loan obligations of such borrower with respect to such joint consolidation loan (as of the date such joint consolidation loan was made); or

“(BB) in the case in which both borrowers request, on the basis of proportions outlined in a divorce decree, court order, or settlement agreement; and

“(II) has the same rate of interest as the joint consolidation loan (as of the date that is the day before such separate consolidation loan is made); and

“(ii) in a timely manner, notify each individual borrower that the joint consolidation loan had been repaid and of the terms and conditions of their new loans.

“(C) APPLICATION FOR SEPARATE DIRECT CONSOLIDATION LOAN.—

“(i) JOINT APPLICATION.—Except as provided in clause (ii), to receive separate consolidation loans under this part, both individual borrowers in a married couple (or previously married couple) shall jointly apply under subparagraph (A).

“(ii) SEPARATE APPLICATION.—An individual borrower in a married couple (or previously married couple) may apply for a separate consolidation loan under subparagraph (A) separately and without regard to whether or when the other individual borrower in the married couple (or previously married couple) applies under subparagraph (A), in a case in which—

“(I) the individual borrower certifies to the Secretary that such borrower—

“(aa) has experienced an act of domestic violence (as defined in section 4002 of the Violence Against Women Act of 1994 (34 U.S.C. 12291) from the other individual borrower;

“(bb) has experienced economic abuse (as defined in section 4002 of the Violence Against Women Act of 1994 (34 U.S.C. 12291) from the other individual borrower; or

“(cc) is unable to reasonably reach or access the loan information of the other individual borrower; or

“(II) the Secretary determines that authorizing each individual borrower to apply separately under subparagraph (A) would be in the best fiscal interests of the Federal Government.

“(iii) REMAINING OBLIGATION FROM SEPARATE APPLICATION.—In the case of an individual borrower who receives a separate consolidation loan due to the circumstances described in clause (ii), the other non-applying individual borrower shall become solely liable for the remaining balance of the joint consolidation loan.”

(b) CONFORMING AMENDMENT.—Section 428C(a)(3)(B)(i)(V) of the Higher Education Act of 1965 (20 U.S.C. 1078-3(3)(B)(i)(V)) is amended—

(1) by striking “or” at the end of item (bb);

(2) by striking the period at the end of item (cc) and inserting “; or”; and

(3) by adding at the end the following:

“(dd) for the purpose of separating a joint consolidation loan into 2 separate Federal Direct Consolidation Loans under section 455(g)(2).”

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor or their respective designees.

The gentleman from Virginia (Mr. SCOTT) and the gentlewoman from North Carolina (Ms. FOXX) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia (Mr. SCOTT).

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on S. 1098.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to rise in support of the bipartisan, bicameral Joint Consolidation Loan Separation Act, led in the Senate by my colleague from Virginia, Senator MARK WARNER, and led in the House by the gentleman from North Carolina (Mr. PRICE).

Student loans should provide a pathway to opportunity, not saddle borrowers with a lifetime of burdensome debt, especially if the loans don't even belong to them.

Regrettably, many borrowers' financial well-being has been made worse by student loans jointly held by their spouse or former spouse.

The Joint Consolidation Loan Separation Act would provide much-needed relief for individuals who previously consolidated their student loans with their spouse. Although Congress eliminated the joint consolidation loan program in 2006, it did not provide a way for borrowers to sever existing loans, even in the event of domestic violence, domestic abuse, or unresponsiveness from a former spouse after a divorce.

As a result, according to the most recent data from the Department of Education, there are at least 13,500 borrowers with federally held joint consolidation loans.

The Joint Consolidation Loan Separation Act would allow borrowers to submit an application to the Department of Education to split the joint consolidation loan into two separate Federal direct loans. The two new Federal direct loans would be split proportionally based on the original unpaid principal and have the same interest rates as the joint consolidation loan, ensuring borrowers are not saddled with a higher interest rate.

Importantly, the bill provides a pathway for an individual to apply to separate a loan from a spouse, a current spouse or former spouse, including in the event of an absentee or unresponsive spouse, for an act of violence or economic abuse.

Mr. Speaker, we can all agree that no borrower should be forced to pay a debt that isn't theirs, especially the debt of an abusive former spouse.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume, and I thank my colleague for yielding the time.

While I fully support the underlying intent of S. 1098, the Joint Consolidation Loan Separation Act, I have concerns about the bill as drafted. The purpose of this bill is to protect student loan borrowers who consolidated their loans with a spouse but now seek to reverse this process. Yet, as written, this bill undermines that purpose.

I am concerned this bill will hurt the very borrowers we are trying to help. We never want to see a spouse, especially one that is a victim of domestic violence, forced to be financially tied to his or her abuser. We want to give these borrowers a way out. However, we also recognize that it is not only the abused spouse who may be applying for these new consolidations.

Under the Senate-passed language, when a borrower files for a new consolidated loan, he or she could potentially leave his or her spouse with the remaining balance. We must be cognizant of the fact that a borrower could use this new legislation as a weapon. This is why we need safeguards in place to ensure that both parties are not subject to potential abuse through the separation process and not just the one filing for a new consolidation.

Additionally, the Department of Education has stated that it will take 12 to 18 months to implement this bill. Given the urgency of the situation that many borrowers are in, this kind of delay is unacceptable. We need to provide these borrowers with a quicker way out of their joint consolidation loan. Yet, Democrats rejected the Republicans' solution that will give these borrowers an almost immediate separation without unnecessary paperwork that will bog down the process.

Further, I am concerned that this bill could be used by the Secretary of Education to stage an even broader takeover of student loans. It would be simpler and more straightforward to allow these loans, once separated, to remain with their current holder, but instead, this legislation attempts to drive as many of these loans as possible into the government-run Direct Loan program.

We have ample evidence to believe that the Biden Department of Education will take the inch given in this legislation and use it to go a mile. The administration's illegal expansion of the income-driven repayment program and Public Service Loan Forgiveness program, let alone Biden's student loan bailout, are evidence of that.

For example, the vague language included in this bill, namely, the authority for the Secretary of Education to allow for new consolidation loans if it is in “the fiscal interest of the Federal Government.” The Department of Education has not been able to provide clarity on what this phrase means or how it applies to this bill, but it has been used previously by this administration to force billions of dollars' worth of loans made by private lenders

onto the government's books. Moreover, the President's \$1 trillion transfer of wealth from hardworking taxpayers to college graduates clearly illustrates this administration had no intention of protecting "the fiscal interests of the Federal Government."

We must not create any loopholes or back doors for the Biden administration to exploit. Transferring massive amounts of student loan debt to taxpayers is harming our economy and setting a horrible precedent for future borrowers, not to mention failing to solve the underlying problems in post-secondary education.

Because of these issues, Republicans have a solution that will allow student loan servicers to separate joint consolidation loans almost immediately, instead of having to wait over a year to receive relief.

Our solution is a commonsense and practical way to accomplish the same goal as this legislation but more quickly and efficiently.

Republicans are willing to work across the aisle to ensure borrowers are taken care of, but unfortunately, Democrats are more focused on opening more avenues for the administration to expand its radical loan bailout.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 7 minutes to the gentleman from North Carolina (Mr. PRICE), the House sponsor of the legislation.

Mr. PRICE of North Carolina. Mr. Speaker, I am happy to rise in support of S. 1098, the Joint Consolidation Loan Separation Act.

I am the author of the House version of this bill and have introduced it every Congress since the 115th, always with a Republican cosponsor.

I would like to start my remarks today by thanking the Members, past and present, who have helped bring us to the floor today.

I thank our former colleague BRADLEY BYRNE of Alabama for his cosponsorship of the first iteration of this bill. I thank Congresswoman HALEY STEVENS and other current bipartisan cosponsors; Senators MARK WARNER, MARCO RUBIO, and JOHN CORNYN, who recently steered this bill to passage in the Senate; and my colleague from North Carolina, Senator RICHARD BURR, who expedited the review of this bill by his committee.

This bill passed the Senate by unanimous consent on June 15 of this year.

I also thank my good friend Chairman BOBBY SCOTT and his staff. They have vetted this bill and worked over this bill very carefully. He is an outstanding leader of the committee, and he has been a longstanding supporter of this bill. He included it, in fact, in various versions of the Higher Education Act.

I also thank the staff, entrepreneurial staff, who picked up on this problem from casework years ago and devised a legislative solution. That would be Kate Roetzer and Nora

Blalock of my staff initially, Janssen White and Elizabeth Adkins more recently, and other personal and committee staff, House and Senate.

Thanks, too, to the advocates, people affected by this problem, who have come to our offices and our town meetings and relentlessly advocated for relief. A number of these advocates are our guests in the gallery today.

The Joint Consolidation Loan Separation Act, or JCL for short, is simple in its intent but significant in its impact on thousands of student loan borrowers who have waited for relief for far too long.

From 1993 to 2006, the U.S. Department of Education issued joint consolidation loans to married couples where both borrowers agreed at the time to be jointly liable for repayment. As you might expect, this proved problematic if that couple ever needed or wanted to separate the loans.

Congress wisely eliminated this program in 2006 but with one critical oversight: Congress did not provide a means of severing the existing loans, even in the event of domestic abuse, economic abuse, or an unresponsive partner. There was, in other words, no grandfather clause.

As a result, there are borrowers nationwide who remain financially liable for their absconded or abusive or uncommunicative spouse's portion of their consolidated debt with no legal options for relief.

The bill before us would allow such borrowers to submit an application to the Department of Education to split the joint consolidated loan into two separate Federal direct loans. The joint loan remainder would be split proportionately based on the percentage that each borrower originally brought into the loan.

It was an unfortunate mistake not to grandfather in the severing of these loans with the 2006 cancellation of the program, so this bill is a long overdue, commonsense correction. Congress does occasionally make mistakes; in case we hadn't noticed.

Let me just illustrate to you what the solution means for the lives of borrowers.

I first became aware of this issue in 2014, 8 years ago, through constituent casework. My constituent consolidated his \$25,000 loan with his ex-wife's \$75,000 loan. After their divorce, the Department continued to collect on the combined loan from both parties, even though my constituent had paid off his portion of the loan. That is just one of the many examples that cover the spectrum of unpleasant situations with this shared debt.

Let's assume that one partner attended community college and the other an expensive private school, and their loan amounts are vastly different. When they consolidated their loans, they both agreed to be jointly liable for repayment. But say the partner who attended private school became unresponsive and stopped paying

into the loan. That left the partner who attended community college saddled with their total debt, along with the partner's private school education cost.

□ 1445

We have also heard horror stories of couples who have survived abusive relationships but continue to remain tied to their partners through the loan. Former partners have exerted financial abuse by refusing to copay with their exes. In other instances, individuals are unable to get in contact with the copartner of their loan and are similarly left to shoulder the debt all by themselves.

These borrowers have seen their wages garnished and their credit scores ruined to the point where they cannot assist their own children in taking care of Federal student loans. This has become a generational impact.

These loan holders are often in punishing situations with no hope in sight for action to fix this mistake unless we pass the bill before us today.

This bill has been thoroughly vetted by the Department of Education, the House Committee on Education and Labor, and numerous checkpoints in the Senate. It passed by unanimous consent in the Senate a few short months ago. We have made accommodations all along the way, including Republican changes that I did not prefer, for the sake of getting the bill to the floor in both Chambers. With tomorrow's vote, it will go directly to the President's desk.

This is a bipartisan, bicameral piece of legislation. I believe it is the end product of a fair process that has understood the rigors of legislative scrutiny. As far as legislative impact goes, this one is simple but profound in its impact on borrowers.

The Joint Consolidation Loan Separation Act presents a rare opportunity for Congress to right a wrong, to correct an omission in its own legislative process. I urge that we do so. The bill offers a fair and equitable relief to borrowers who have suffered great hardship, and I urge my colleagues to vote "yes."

Ms. FOXX. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. GOOD).

Mr. GOOD of Virginia. Mr. Speaker, I rise in opposition to S. 1098, which expands the Secretary of Education's already illegitimate, unconstitutional authority, so-called, to transfer student loan debt from those who borrowed it to those who did not.

How egregious, once again, that we would try to force taxpayers who did not go to college, who worked their way through college without incurring debt, or who paid off their student loans to now have to carry the debt for those making up to \$250,000 a year, from a family standpoint.

This is an effort to double the number of student loans where the debt will be transferred to hardworking taxpayers. This bill allows new authority

for the Secretary of Education to allow for new loans if it is in the “fiscal interests of the Federal Government.”

Now, that is an interesting concept. Since when does this majority consider the fiscal impact of their decisions?

There is no limit to how many illegals they will allow to invade our country through the southern border, and there is no limit, seemingly, to how much money they will spend. The answer to every supposed problem is to spend more money, irrespective of the fiscal impact.

Instead of considering the fiscal impact on the Federal Government, by the way, which I suspect we will not do since the Federal Government doesn't have any money, since the Federal Government is in debt for \$31 trillion, which is \$90,000 per citizen, how about if we consider the fiscal impact on the taxpayers who are on the hook for that \$31 trillion and will be on the hook for this new spending that is being advocated for today?

The truth is this bill, this legislation, would add billions more to the already terrible decisions we have made fiscally in this Congress. The majority's response to the \$31 trillion national debt that we have already referenced most recently is to pass their inflation increase bill. That added \$800 billion more in spending, half of it for green raw deal spending, a couple hundred billion dollars for IRS agents, because I am sure you hear all across your district, like I do, that the only thing we need is more IRS agents.

Then, our other response, in addition to the inflation increase act, is to the student loan transfer fiasco, transferring debt from those who borrowed it to those who did not. Today, we will add billions more to that \$600 billion conservative estimate on what the cost is of the student loan transfer scheme.

Mr. Speaker, I urge all of my colleagues to oppose this bill.

Mr. SCOTT of Virginia. Mr. Speaker, prior to yielding time, I yield myself 1 minute just to remind those on the other side of the aisle, who have lectured this side of the aisle on fiscal responsibility, that every Democratic Presidential administration since Kennedy left office with a better deficit situation than they inherited—every one, without exception. And every Republican since Nixon, every administration left office with a worse deficit situation than they inherited, without exception. President Trump was well on his way to fulfilling that trend before the pandemic.

But hypocrisy is not much of an issue. I just wanted to remind people who is fiscally responsible and who isn't.

Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Ms. STEVENS), a distinguished member of the Committee on Education and Labor and an original cosponsor of this legislation.

Ms. STEVENS. Mr. Speaker, in that vein, some of us are here to pontificate,

and others of us are here to solve problems.

I rise today for those who have been the victim of this oversight. From the period of 1993 to 2006, Americans filed for the consolidation of student loans, not realizing that they may fall prey to an unfortunate situation: domestic abuse; economic abuse; an unresponsive partner; or divorce, which plagues 50 percent of this population.

Under the leadership of my friend and colleague, Congressman PRICE, we have a solution. We have a bill, the Joint Consolidation Loan Separation Act, which is bipartisan and which we should pass to help people.

To those who have been victims—and I consider you victims—we offer our extension of empathy, but we also offer our extension of a solution. We have a good program here to allow you to re-engage with the Department of Education to make sure that you have fairness with your loan.

Mr. Speaker, I urge my colleagues to come together to pass this bill.

Ms. FOXX. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. MURPHY).

Mr. MURPHY of North Carolina. Mr. Speaker, first and foremost, I want to say how deeply I appreciate Mr. PRICE's hard work over the last couple of years on S. 1098. I thank him very much for his efforts on this key and very bipartisan issue.

It is clear that there is bipartisan support that victims of spousal abuse should be able to sever these consolidation loans without penalty or delay. I don't think that is the question. The question here is the change in the calculus because of what President Biden has done.

While I support the intention of this bill to separate these loans, President Biden's unconstitutional, only-able-to-be-done-because-of-his-abuse-of-power student loan giveaway has drastically changed the context in which we consider this bill. The President, in his actions, has undermined what was a clear bipartisan effort.

S. 1098 gives the administration the authority and creates a pathway which could be used for loan forgiveness, again taking money from people who didn't benefit from a college education and making those individuals pay for it.

Once these loans are separated into the Direct Loan Program, these loans will be eligible for Biden's near-trillion-dollar student loan giveaway. Republicans made a good-faith effort to amend this legislation to protect taxpayers, but Democrats refused to close this loan forgiveness loophole.

Our Republican solution, the Simplified Joint Consolidation Separation Act, will allow borrowers to separate their loans in a more timely manner to expedite financial freedom while protecting taxpayers by focusing on the administration's authority to directly aid those most in need.

This targeted, commonsense legislation should garner immediate support

from both sides of the aisle and will actually correct the issue that we all want solved.

The SPEAKER pro tempore (Mr. TONKO). Members are reminded to refrain from engaging in personalities toward the President.

Mr. SCOTT of Virginia. Mr. Speaker, would the Speaker advise how much time is remaining on both sides.

The SPEAKER pro tempore. The gentleman from Virginia has 19 minutes remaining. The gentlewoman from North Carolina has 20 minutes remaining.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the chairman of the full committee, Mr. SCOTT, for continuing to find ways to collaborate with his members and others to ensure that we respond to the crux of opportunity in America, and that is education.

I am so grateful to be able to stand and support S. 1098 and to take this brief moment to thank my fellow alum, DAVID PRICE, for being persistent in this legislation and serving the American people over the years that he has done. I had a chance to get a second bite of the apple. DAVID was here and then came back. I have enjoyed every moment of his commitment to opportunities for Americans over the years, including housing and transportation and homeland security, and I certainly want to say to him that the American people are better for his service to this Nation. I thank him so very much.

I am grateful to finally be able to say, Chairman SCOTT, to a constituent who I saw over the weekend that called the number of the bill—most times, constituents don't know bill numbers. They said: “I need you to support S. 1098.” Obviously, this is something so many of us have been looking to because we have heard this from our constituents.

I am very grateful that this legislation now allows a married couple who has previously consolidated their Federal student loans, because we were allowed to do that—many people thought that was a good thing to do, to submit a joint application to the Department of Education to sever their loan, allowing each former spouse their proportional responsibility. Each former spouse would still be obligated for a share of the loan, but their share of responsibility would be benchmarked to the proportion of the debt that they brought into the consolidated loan. Without loan severance, if a spouse refused to pay their share, the other spouse remains responsible for full payment.

This is important legislation as it relates to divorce and domestic violence or economic abuse. Bearing the risk of the full responsibility for a consolidated loan after divorce can dramatically restrain a spouse from moving on with their life, from supporting their children, from getting a house, from feeling safe.

The Joint Consolidation Loan Separation Act also addresses the especially volatile situation of former relationships in which an individual was subjected to domestic or, as I said, economic abuse.

As a sponsor of the Violence Against Women Act that became law in March of last year, I am especially concerned about women who have experienced physical, mental, sexual, emotional, even psychological abuse at the hands of a spouse or partner. S. 1098 allows them to separate from toxic relationships, get away from the economic abuse, and retain or maintain their credit so that they can go forward. This can also apply to a male who may be suffering from the same situation.

Two married borrowers of Federal student loans could combine their debt into a single loan, but we can also come back now to ensure that they can separate it. This is an important step forward.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. SCOTT of Virginia. Mr. Speaker, I yield an additional 1 minute to the gentlewoman.

Ms. JACKSON LEE. Mr. Speaker, we enthusiastically add this to the component of making sure, under the Violence Against Women Act, that there is an expanded understanding of what happens when one spouse abuses another or the idea of economic abuse.

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Just as an example, when one spouse is not being timely, is not being responsive, for whatever reason is not able to be found, then the credit of the remaining spouse being dutiful is completely, if I might use the term, mutilated.

I am eager to ensure that this bill is passed. I certainly acknowledge the Senator from the State of Texas, Senator CORNYN. We have worked together on other matters.

I will let everybody know this bill is bipartisan, and I will let everyone know that what we will be doing is ensuring that people can restore their lives. They can stand up again and be able to pay their debt.

As I finish, I am stunned by people who don't want to see us move forward for people to pay their debt. They can pay their debt. Let us all support S. 1098.

Mr. Speaker, I rise in support of S. 1098, the Joint Consolidation Loan Separation Act allowing a jointly-held loan debt to be separated.

This legislation would allow a married couple, who had previously consolidated their federal student loan debts, to submit a joint application to the Department of Education to sever their loan, allotting to each former spouse their proportional responsibility.

While each former spouse would still be obligated for a share of the loan, their share of responsibility would be benchmarked to the proportion of debt that they brought into the consolidated loan. Without loan severance, if a spouse refuses to pay their share of the loan,

the other spouse remains responsible for full payment.

This is very important legislation because it is a key to independence following a divorce. Without being able to sever their loan obligation after divorce, people are forced to continue interacting with their former spouse.

Bearing the risk of full responsibility for a consolidated loan after divorce can dramatically restrain a spouse from moving on with their life, both financially and emotionally, as they are forced to maintain communication with someone from whom they no longer want to be closely associated.

The Joint Consolidation Loan Separation Act also addresses the especially volatile situation of former relationships in which an individual was subjected to domestic or economic abuse from the other individual.

As the sponsor of the Violence Against Women Act Reauthorization Act that became law in March of this year, I am especially concerned about women who have experienced physical, mental, sexual, emotional, or psychological abuse at the hands of a spouse or partner.

Thus, it is especially important that S. 1098 make it easy for women who have suffered from abuse to sever their loans, to help them sever their toxic relationships.

Indeed, S. 1098 allows one borrower to submit a separate application in the event that the individual has experienced domestic or economic abuse from the other individual borrower or is unable to reasonably access the loan information of the other borrower.

In the case of this occurring, the other non-applying individual borrower shall become solely liable for the remaining balance of the joint consolidation loan.

Joint consolidation loans were first created for the good of Americans to combat growing default rates.

Two married borrowers of federal student loans could combine their debt into a single loan.

While the legislation was intended to proactively accommodate these life situations, joint consolidation forms came with no guidance from the Department of Education for cases of domestic or economic abuse.

A divorce decree could not remove one spouse from the debt, nor could have any other agreement as both people were now legally responsible for the combined debt.

If an ex-spouse refused to pay their share of the monthly payment, the other spouse would have to make the entire payment themselves.

If a former couple wanted to make their student loan payments under a payment plan, both spouses would need to pay the loan under the same plan and provide their financial information.

If one of them failed to do so, they would both be denied access to the payment plan.

Because of all these loopholes, Congress eliminated access to joint consolidation loan applications in 2006.

However, it did not provide a way to separate responsibility for existing loans, even in cases of domestic violence, economic abuse, or an unresponsive partner.

With the Joint Consolidation Loan Separation Act, we can now provide a way out for those facing domestic violence or economic abuse, as victims in this position face challenges beyond their own control.

As reported by the CDC, about 1 in 4 women and nearly 1 in 10 men have experi-

enced physical or sexual violence by an intimate partner during their lifetime.

According to the National Coalition Against Domestic Violence, between 94 and 99 percent of domestic violence survivors have also experienced economic abuse, which includes coerced debt and withholding access to money.

There are currently 776 borrowers with spousal consolidation loans, according to the Student Borrower Protection Center.

It is our responsibility to do right for these borrowers who fell victim to the consequences of previous legislation.

As the sponsor of H.R. 1620, the Violence Against Women Act Reauthorization Act, I proudly support S. 1098's efforts to provide options for victims of violence, especially for women who are at a significantly higher risk.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my amendment to S. 1098 would establish a more efficient process for separating joint consolidation loans to ensure timely relief for borrowers, protect victims of abuse seeking to sever their financial entanglement with their abuser, and protect taxpayers by ensuring that the Secretary's authority is narrowly tailored to help those in need.

It allows borrowers to separate their loans immediately rather than having to apply for a new loan in the Direct Loan Program, a process that can take as long as 18 months to implement.

Moreover, it ensures that those who are victims of economic or domestic abuse can split their loans without opening up avenues for their abuser to game the system and inflict further harm on those we are trying to help.

This is a commonsense fix to a bill that all of us agree is well-intended but falls short of ensuring adequate safeguards for borrowers.

S. 1098 also fails to protect against the abuse of executive authority, something this administration has already proven it will happily do.

If we adopt the motion to commit, we will instruct the Committee on Education and Labor to consider my amendment to S. 1098 to establish a more efficient process for separating joint consolidation loans to ensure timely relief for borrowers that need it.

I ask unanimous consent to insert the text of the amendment in the RECORD immediately prior to the vote on the motion to commit.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. Mr. Speaker, I urge my colleagues to pass the amendment so we can provide timely relief to the borrowers who need it, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, I thank Mr. SCOTT, as well, for the outstanding job that he has done.

Mr. PRICE. I don't know what more you can do. I really don't. This bill is

bipartisan; it is bicameral; and, by God, we ought to pass it.

Ms. FOXX. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge my colleagues to consider the solution Republicans have put on the table. Borrowers wanting out of joint consolidated loans should have the opportunity to separate, but the method we use to get this done is important.

S. 1098, the Joint Consolidation Loan Separation Act, will take the Department 12 to 18 months to implement, far too long for some borrowers who are in urgent need of help. This legislation could also backfire on the very borrowers we are all working to help.

Additionally, this bill's sloppy and vague language could pave the way for even more Federal power grabs over the student loan system. Given what we have seen from this administration, we cannot open any doors to further student loan debt schemes.

Bottom line, S. 1098 delays support for borrowers who need assistance immediately, cedes more control to the Education Secretary, and fails to protect the borrowers and taxpayers.

Mr. Speaker, I urge my colleagues to oppose this legislation, and I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, while the Joint Consolidation Loan Separation Act does not solve the student loan debt crisis, it takes another sensible step to help borrowers separate with loans that do not belong to them. This legislation also comes at a critical time when many borrowers seek relief under President Biden's recently announced loan cancellation program.

Unfortunately, not all borrowers with joint consolidation loans are currently eligible for relief, even if they meet all other criteria.

Simply put, by advancing the Joint Consolidation Loan Separation Act, we are providing borrowers with additional avenues of loan relief, ensuring survivors of domestic or economic abuse are not responsible for their spouse's or former spouse's debt.

Again, I thank Senator WARNER of Virginia and the gentleman from North Carolina (Mr. PRICE) for their leadership on this legislation.

Mr. Speaker, I ask my colleagues to support the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1361, the previous question is ordered on the bill.

The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

MOTION TO COMMIT

Ms. FOXX. Mr. Speaker, I have a motion to commit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to commit.

The Clerk read as follows:

Ms. Foxx moves to commit the bill (S. 1098) to the Committee on Education and Labor.

The material previously referred to by Ms. FOXX is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Joint Consolidation Loan Separation Act".

SEC. 2. AUTHORIZATION OF GUIDANCE TO SEPARATE JOINT CONSOLIDATION LOANS.

Section 428C of the Higher Education Act of 1965 (20 U.S.C. 1078-3) is amended—

(1) in subsection (a)(3)(B)(i)—

(A) by striking "and" at the end of subclause (IV);

(B) by striking the period at the end of subclause (V) and inserting "; and"; and

(C) by adding at the end the following:

"(VI) separation of a joint consolidation loan into individual consolidation loans in accordance with subsection (g) shall not be considered receipt of a consolidation loan for purposes of this clause, and an individual's status as an eligible borrower shall not change solely as a result of such a separation.";

(2) by adding at the end the following:

"(g) SECRETARY GUIDANCE ON JOINT CONSOLIDATION LOANS.—

"(1) IN GENERAL.—

"(A) AUTHORIZATION.—Notwithstanding section 421(d), a married couple, or two individuals who were previously married and received a joint consolidation loan under subsection (a)(3)(C) (as such subsection was in effect on June 30, 2006), may jointly request the Secretary or holder, in accordance with paragraph (2), to separate the existing joint consolidation loan into two individual consolidation loans.

"(B) ELIGIBILITY FOR BORROWERS IN DEFAULT.—A married couple, or two individuals who were previously a married couple, who received a joint consolidation loan described in subparagraph (A) and are in default on such joint consolidation loan may both be eligible for separation of such joint consolidation loan into two individual consolidation loans in accordance with this subsection.

"(C) ELIGIBILITY FOR INDIVIDUAL REQUESTS.—

"(i) CIRCUMSTANCES ALLOWING FOR SEPARATE APPLICATION.—An individual who is one of the parties who received a joint consolidation loan described in subparagraph (A) may, separately and without regard to whether or when the other individual borrower who received such joint consolidation loan applies under subparagraph (A), request separation of such joint consolidation loan into two individual consolidation loans in accordance with this subsection in a case in which the requesting individual borrower certifies to the Secretary that such borrower—

"(I) has experienced an act of domestic violence from the other individual borrower;

"(II) has experienced an act of economic abuse from the other individual borrower; or

"(III) is subject to a divorce decree, court order, or settlement agreement requiring the separation of joint loans and obligations.

"(ii) OBLIGATION FROM SEPARATE APPLICATION.—In the case of a joint consolidation loan that is separated upon request of an individual borrower due to one or more circumstances described in clause (i), the other non-applying individual borrower shall be liable for the outstanding balance of the individual consolidation loan of such borrower in the same manner as if both borrowers of the joint consolidation loan had applied for such separation.

"(2) SECRETARIAL AND HOLDER REQUIREMENTS.—Notwithstanding subsection (a)(3)(A) or any other provision of law, the

Secretary or holder may separate the joint consolidation loan for eligible borrowers who meet the eligibility requirements specified in paragraph (1). The two separate individual consolidation loans shall—

"(A) be for an amount equal to the product of—

"(i) the unpaid principal and accrued unpaid interest of the joint consolidation loan (as of the date that is the day before separation of the joint consolidation loan) and any outstanding charges and fees with respect to such loan; and

"(ii) the percentage of the joint consolidation loan attributable to the loans of the individual borrower for whom such separate consolidation loan is being separated, as determined—

"(I) on the basis of the loan obligations of such borrower with respect to such joint consolidation loan (as of the date such joint consolidation loan was made); or

"(II) in the case in which both borrowers request, on the basis of proportions requested by the borrowers, outlined in a divorce decree, court order, or settlement agreement;

"(B) have the same rate of interest as the joint consolidation loan (as of the date that is the day before separation of the joint consolidation loan); and

"(C) not be considered new loans, shall be deemed to have been made on the date such joint consolidation loan was made, and shall have the same terms and conditions as other consolidation loans made under this part on such date."

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to commit.

The question is on the motion to commit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Ms. FOXX. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to section 8 of rule XX, further proceedings on this question are postponed.

CONGRATULATING LAS VEGAS ACES ON WNBA CHAMPIONSHIP WIN

(Mr. HORSFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HORSFORD. Mr. Speaker, I rise today with excitement to congratulate the Las Vegas Aces for winning the 2022 WNBA finals.

The Las Vegas Aces are the first Las Vegas-based team to bring home a professional sports championship. Before winning the championship, this team was built for success, having the best regular season record this year.

Forward A'ja Wilson was named the WNBA Most Valuable Player for the second time in her career, and during the semifinals, point guard Chelsea Gray became the first player in WNBA history with more than 30 points and 10 assists in a playoff game.

In her first year as head coach, Becky Hammon led this championship team with determination and poise.