

## Relief for Missing Borrowers and their Families

Today there exists another small population for whom additional regulatory guidance would be useful: borrowers who are determined to be missing persons. While there may be existing protocols outlined in servicing requirements for DL and federally-held loans, commercial FFEL regulatory authority for holders and lenders to provide administrative forbearance relief when there is clear third-party validated evidence that the borrower is a missing person would be valuable. This would provide a regulatory permissible framework and allow faster and more automated relief to families during difficult times, without holders needing to immediately involve the Department. While we have not proposed in this text a time limit for this temporary relief, we would suggest the Department consider what it views as an appropriate period of time for this status until the loan returns to the normal discharge or default process for resolution and include that in the regulation. Proposed regulatory text follows:

### 682.211 Forbearance

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(j) Administrative forbearance for a missing borrower. Upon receipt of information that a borrower is missing, the lender may grant administrative forbearance in increments up to six months to verify the borrower's status with a third party, including the National Missing Person's Database, the missing person's employer, a signed statement from the next of kin, a missing person's report from a law enforcement agency, media report, or if the borrower is missing in a foreign country, the State Department. During this period interest will accrue but not be capitalized.