

119TH CONGRESS  
1ST SESSION

# H. R. 3412

To suspend and reform the authority under the Higher Education Act of 1965 for the Secretary of Education to carry out an administrative wage garnishment program.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2025

Ms. PRESSLEY introduced the following bill; which was referred to the  
Committee on Education and Workforce

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## A BILL

To suspend and reform the authority under the Higher Education Act of 1965 for the Secretary of Education to carry out an administrative wage garnishment program.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ending Administrative  
5 Garnishment Act of 2025”.

6 **SEC. 2. SUSPENSION OF WAGE GARNISHMENT.**

7 Section 488A of the Higher Education Act of 1965  
8 (20 U.S.C. 1095a) is amended by adding at the end the  
9 following:

1 “(f) SUSPENSION OF AUTHORITY.—

2 “(1) IN GENERAL.—Beginning on the date of  
3 enactment of the Ending Administrative Garnish-  
4 ment Act of 2025, the authority provided under sub-  
5 section (a) to garnish the disposable pay of an indi-  
6 vidual shall be suspended until the date the Sec-  
7 retary submits to the Committee on Health, Edu-  
8 cation, Labor, and Pensions of the Senate and the  
9 Committee on Education and Workforce of the  
10 House of Representatives the certification described  
11 in paragraph (2).

12 “(2) CERTIFICATION.—Not earlier than 1 year  
13 after the date of enactment of the Ending Adminis-  
14 trative Garnishment Act of 2025, the Secretary shall  
15 submit to the Committee on Health, Education,  
16 Labor, and Pensions of the Senate and the Com-  
17 mittee on Education and Workforce of the House of  
18 Representatives a certification that either—

19 “(A) the Secretary has implemented a  
20 process through which—

21 “(i) individuals who have had their  
22 disposable pay improperly garnished in vio-  
23 lation of this section, or of any other in-  
24 struction by the Secretary, are able to have  
25 their refund processed and returned to

1           them not later than one calendar week  
2           after the date of such violation;

3           “(ii) the Secretary can independently  
4           cease or suspend the administrative wage  
5           garnishment program authorized under  
6           this section at any time, at the sole discre-  
7           tion of the Secretary, including suspension  
8           of the garnishment of any individual stu-  
9           dent loan borrower or a cohort of bor-  
10          rowers; and

11          “(iii) the Secretary obtains a quar-  
12          terly verification from each employer  
13          through which garnishment is carried out  
14          under this section that all information nec-  
15          essary to implement garnishment under  
16          this section with respect to an individual  
17          employee is accurate, including an estimate  
18          of the amount scheduled to be garnished in  
19          the subsequent quarter, and the name, ad-  
20          dress, phone number, and email address  
21          for both the employee and the employer; or

22          “(B) the Secretary is unable to implement  
23          the process described in subparagraph (A) and  
24          has determined that the garnishment of the dis-

1           posable pay shall not apply to individuals as au-  
2           thorized under subsection (a).

3           “(3) DATA COLLECTION.—

4                   “(A) IN GENERAL.—If the Secretary sub-  
5           mits a certification under paragraph (2) that  
6           the Secretary has implemented the process de-  
7           scribed in paragraph (2)(A), the Secretary,  
8           upon submission of such certification, shall es-  
9           tablish a centralized database containing—

10                   “(i) the addresses, occupations, em-  
11           ployers, and other collectible demographic  
12           data of individuals whose disposable pay  
13           was subject to garnishment under this sec-  
14           tion on the day before the date of enact-  
15           ment of the Ending Administrative Gar-  
16           nishment Act of 2025; and

17                   “(ii) the addresses, occupations, em-  
18           ployers, and other collectible demographic  
19           data of individuals whose disposable pay is  
20           subject to garnishment under subsection  
21           (a).

22           “(B) REPORT.—Not later than 90 days  
23           after the date the Secretary establishes the  
24           database under subparagraph (A), and not less  
25           often than annually thereafter, the Secretary

1           shall submit a report to the Committee on  
2           Health, Education, Labor, and Pensions of the  
3           Senate and the Committee on Education and  
4           Workforce of the House of Representatives  
5           summarizing the information contained in the  
6           database and evaluating the exercise of the Sec-  
7           retary’s authority under subsection (a).

8           “(g) RIGHT OF ACTION AGAINST EMPLOYER.—The  
9    employer shall be liable for, and the Secretary, the guar-  
10   anty agency, or an individual, as appropriate, may sue the  
11   employer in a State or Federal court of competent juris-  
12   diction to recover, any amount that such employer improv-  
13   erly withholds from wages due an employee following re-  
14   ceipt by such employer of notice of suspension or revoca-  
15   tion of the withholding order, and actual damages, plus  
16   attorneys’ fees, costs, and, in the court’s discretion, puni-  
17   tive damages.

18          “(h) DEPARTMENT ACTION AFTER IMPROPER GAR-  
19   NISHMENT.—Not later than 10 days after the date the  
20   Secretary receives an individual’s disposable pay that has  
21   been improperly garnished, the Secretary shall pay the  
22   borrower twice the actual amount of wages garnished.  
23   Notwithstanding section 432(a)(2), an injunction against  
24   the Secretary may be issued to enforce this subsection.

1       “(i) LIMITS ON USE.—The Secretary may not gar-  
2 nish the disposable pay of an individual under this section  
3 with respect to a loan that has been outstanding for more  
4 than 10 years.”.

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