

Public Service Loan Forgiveness for Contractors Submission Process

Effective: December 6, 2024

Supersedes Submission Process Manual dated October 1, 2024

PURPOSE

The guidance for Public Service Loan Forgiveness for Contractors Submission Process is for Contractors that are submitting their request for OPDC to certify their Public Service Loan Forgiveness (PSLF) & Temporary Expanded PSLF (TEPSLF) Certification & Application.

The following sections in the guide provide instructions for how to submit a request for OPDC to certify, what is required from the Contractor, and steps in application process and review.

The Public Service Loan Forgiveness for Contractors Submission Process was established in accordance with 404.070.008 Public Service Loan Forgiveness for Contractors Policy. [Public Service Loan Forgiveness Certification for Contractors Policy 20240918 \(oregon.gov\)](https://www.oregon.gov/OPDC/Pages/Public-Service-Loan-Forgiveness-Certification-for-Contractors-Policy-20240918.aspx)

PUBLIC SERVICE LOAN FORGIVENESS PROGRAM

The Public Service Loan Forgiveness Program is intended to encourage individuals to enter and continue in full-time public service employment by forgiving the remaining balance of their direct loans after they satisfy the public service and loan payment requirements of this section. As of July 10, 2023, 34 CFR § 685.219 (b) was amended to expand the definition of “employee” for PSLF program purposes to include “an individual who works as a contracted employee for a qualifying employing employer in a position or *providing services which, under applicable state law, cannot be filled or provided by a direct employee of the qualifying employer.*” Contractors that have provided trial-level public defense services fall within the expanded definition of “employee”.

ELIGIBILITY CRITERIA

With the change to federal regulations regarding PSLF, more public defense providers are eligible for the program. Under the new PSLF rules, these individuals may now be eligible for student loan forgiveness under PSLF, even though they are not W-2 employees but are instead contractors working for qualifying organizations. Attorneys in consortia and other private bar attorneys may be eligible for PSLF.

Any public defense contractor is eligible if they have been engaged in public defense work “full-time” for ten years, which is defined by PSLF as working during the period of being certified:

Full-Time employment, for PSLF purposes, means working 30 or more hours per week on average for the employment period on the form regardless of whether the employer considers that Full-Time for other purposes. Working less than 30 hours per week on average is considered Part-Time. When determining if a borrower is Full-Time, an

employer must include all hours, including vacation, leave time, or any leave taken under the Family Medical Leave Act of 1993. However, do not include time spent performing volunteer services.

An approval from OPDC does not guarantee that the federal government will approve the application, as it is not yet clear how the federal government will interpret and apply the new rule.

CONTRACTOR SUBMITTED REQUEST

A Contractor can submit a request for a Contractor Certification for PSLF to OPDC for eligibility review. All submitted requests are subject for review and will be reviewed within thirty days of receipt.

To submit a request for Contractor Certification the following required documents are to be submitted by eFax to OPDC. **Fax to Policy: 503-386-2219.**

<https://www.oregon.gov/opdc/general/Pages/roster.aspx>

The PSLF application contains personally identifiable information (PII). The Contractor must submit their request for their Contractor Certification for PSLF through OPDC's eFax to protect their PII. The eFax will be used to exchange documents between the Contractor and the OPDC PSLF Team.

- Completed and Signed Public Service Loan Forgiveness (PSLF) & Temporary Expanded PSLF (TEPSLF) Certification & Application. [Public Service Loan Forgiveness \(PSLF\) & Temporary Expanded PSLF \(TEPSLF\) Certification & Application \(studentaid.gov\)](#)
 - The PSLF & TEPSLF Certification & Application will need the Employee Identification Number (EIN) for OPDC. The EIN for OPDC is 93-1327347.
 - For guidance for how to complete the PSLF & TEPSLF Certification & Application visit [Public Service Loan Forgiveness | Federal Student Aid](#).

EIN 93-1327347 is not registered as an employer EIN with the US Department of Education Federal Student Aid. OPDC will be provide additional documentation to submit with the certified PSLF application to assist with the Federal review process of the PSLF application. For additional instructions for how to submit an OPDC certified PSLF application, see section *How to Submit an OPDC Certified PSLF Application*.

- OPDC Public Service Loan Forgiveness Certification for Contractors Form completed by the Contract Administrator or the applicant's employer establishing the time period that the applicant provided public defense services pursuant to the contract and attesting that the service provided by the applicant meets the PSLF definition of "Full-time". The OPDC Public Service Loan Forgiveness Certification for Contractors Form must be signed by the Contract Administrator or the applicant's employer and the applicant. [OPDC Public Service Loan Forgiveness Certification for Contractors Form.pdf \(oregon.gov\)](#)
 - The OPDC Public Service Loan Forgiveness Certification for Contractors Form can be located on the OPDC website in the Policy Section.

If there is more than one employer, a form will need to be completed for each employer.

To complete the Public Service Loan Forgiveness Certification for Contractors the following will need to be completed.

- Enter the Contractor personal information in the Contractor Information section
 - Social Security Number (SSN)
 - Date of Birth
 - First Name
 - Last Name
 - Address
 - City
 - State
 - Zip Code
 - Primary Telephone Number
 - Email
 - OR State Bar Number, if applicable
 - Vendor ID Number, if applicable

CONTRACTOR INFORMATION

SSN		Date of Birth	
First Name		Last Name	
Address		City	
State		Zip	
Telephone - Primary		Email	
OR State Bar Number		Vendor ID Number	

- Enter any previous known names that you have used. Former names will help identify you in the OPDC database to verify contracts and employment hours

PREVIOUS KNOWN NAMES:

First Name(s)		Last Name(s)	

- Complete the Employment Period section by entering the Contractor's entity name and the employment or certification begin and end dates

EMPLOYMENT PERIOD:

Contractor Entity Name	
Employment or Certification Begin Date	
Employment or Certification End Date	

The Contract Administrator and/or employer certifies to OPDC (under penalty of perjury) that the information contained in the Contractor's PSLF application is accurate. The Contract Administrator and/or employer certify that the Contractor engaged in public defense work full-time for the time period provided in Employment Period box above.

- Contractor Administrator or Employer is to complete, sign, and date the Contractor Administrator and/or Employer Signature Section.

Contractor Administrator and/or Employer Certification		
Name:		Phone Number:
Title:		Email:
Signature:		Signature Date:

The Contractor certifies to OPDC (under penalty of perjury) that the information contained in the Contractor's PSLF application is accurate. The Contractor certifies that they engaged in public defense work full-time for the time period provided in Employment Period box above.

- Applicant/Contractor to complete, sign, and date the Contractor Signature Section

Contractor Signature		
Name:		Phone Number:
Title:		Email:
Signature:		Signature Date:

ELIGIBILITY DETERMINATION REVIEW

Upon receipt of the request for Contractor Certification for PSLF the request will be submitted for an eligibility review with OPDC.

In order to certify the PSLF application, OPDC will review the submitted Contractor Certification request to confirm the Applicant/Contractor meets the eligibility criteria for OPDC approval to certify. OPDC will certify the PSLF application once the following requirements are met:

- Review and verify the information provided by the Contractor in Section 4 of the Public Service Loan Forgiveness (PSLF) & Temporary Expanded PSLF (TEPSLF) Certification & Application is accurate.
- Verify the periods of time the Contractor was providing public defense services.
- Confirm the Contractor meets the full-time eligibility criteria to qualify for the PSLF Program.
- Verify the OPDC Public Service Loan Forgiveness Certification for Contractors Form is complete.

DOCUMENT REQUEST

If OPDC is unable to make a determination due to missing documents or information, then OPDC will submit a request for documents or information. The request for documents or information will be sent from the OPDC Policy email with instructions.

- Applicant/Contractors will have 14 days to submit the requested documents or information.
- If the documents are not submitted within 14 days, then a follow up request for documents and information will be sent to the applicant.
- The application will be withdrawn if the applicant is not responsive or unable to supply the request within 30 days from the initial request.
 - A withdrawal notice will be sent to the applicant/Contractor from the OPDC Policy email.

If an application is withdrawn after 30 days for not responding or providing the requested documents or information, the applicant can reapply.

APPROVED

If the applicant is determined to be eligible for OPDC to certify the PSLF Application, OPDC will complete and sign Section 5A of the PSLF Application.

- OPDC will send the following documents to the applicant/contractor by eFax
 - Certified PSLF application
 - OPDC Approval Letter
 - OPDC PSLF EIN Letter
 - Copy of Policy 404.070.008 Public Service Loan Forgiveness for Contractors
- OPDC will send an email to the applicant/Contractor to communicate that an approval for certification has been eFaxed.

An approval from OPDC does not guarantee that the federal government will approve the application, as it is not yet clear how the federal government will interpret and apply the new rule.

HOW TO SUBMIT AN OPDC CERTIFIED PSLF APPLICATION

Our agency EIN for Contractors to use is 93-1327347. As of December 5, 2024, our agency EIN has been approved as an eligible employer. If you have an issue with submitting your PSLF application using the Federal Student Aid on-line tool on their website, then we recommend submitting using the manual PSLF form. To submit a PSLF application with the OPDC EIN, you will need to submit a manual PSLF form.

When submitting the Manual PSLF form the following documents will need to be included

- Certified by OPDC PSLF Application
- OPDC Approval Letter
- OPDC PSLF EIN Letter, *the letter is supporting documentation explaining that the organization is governmental*
- 404.070.008 Public Service Loan Forgiveness for Contractors Policy

We have received information that an additional EIN has been used to submit PSLF applications. The EIN 93-1070707 is for State of Oregon employees only. We have confirmed that only State of Oregon employees that receive a W-2 from the State of Oregon can use this EIN on their PSLF application.



You can also print out a pre-filled PSLF form generated by the [PSLF Help Tool](#):

1. Choose the manual signature option while you are in the tool.
2. On the next page, select the View in My Activity button.
3. From the My Activity page, download your form.
4. Print your form.
5. Sign your form.
6. Have your employer(s) sign your form.
7. Submit your form using one of the methods noted below.

If you prefer not to use the PSLF Help Tool, you can [download and print a blank PDF of the form](#), complete all sections, sign it, and have your employer(s) sign it.

Note: completing your PSLF form in this manner may add additional time to the processing of your form.

If you choose to complete a downloaded PDF of the PSLF form, it **must** be submitted with acceptable signatures from both you *and* your employer.

Signature Examples

Signature Type	Yes/No
Hand drawn from signature pad, mouse, or finger	✓
Typed using a cursive font or any other font	X
A scanned photo of a signature that was hand-drawn on paper	✓
Digital certificate-based signature	X
A wet signature that was drawn in ink and sent to us in its original format	✓

Once the form is complete and signed by your employer, send it to us. You may mail the form to this address:

U.S. Department of Education
P.O. Box 300010
Greenville, TX 75403

You may also fax your PSLF form to 540-212-2415.

You may also upload your form by logging on to StudentAid.gov and going to [My Activity](#).

For additional instructions for how to submit a Manual PSLF Form, visit [Public Service Loan Forgiveness | Federal Student Aid](#)

WITHDRAWN APPLICATION

An application can either be withdrawn by the request of an applicant or for not responding to a document request within 30 days.

- To withdraw an application, the applicant/Contractor will need to send a request to withdraw an application to the OPDC Policy email. Policy@opdc.state.or.us
- If the application was withdrawn for not responding to a document request, then the applicant/Contractor can reapply.
 - *When submitting the new application, the applicant/Contractor will need to include the information or documents that were requested with the document request.*

DENIED

If OPDC determines the Contractor does not meet the eligibility requirement to provide the certification, then OPDC will deny the request for certification. A denial letter will be sent to the applicant/Contractor from the OPDC Policy email.

APPEALS

If an applicant has been denied for OPDC to certify their PSLF application, they may file an appeal. OPDC will provide instructions for how to file an appeal in the denial letter.

QUALITY ASSURANCE REVIEWS

OPDC is directed to adopt policies for public defense providers that ensure compensation, resources and caseloads are in accordance with national and regional best practices to promote policies for public defense provider compensation and resources. Under authority of ORS 151.216 (1)(b)(A), OPDC agrees to independently certify an eligible Contractor's PSLF application if:

- The Contractor certifies to OPDC (under penalty of perjury) that the information contained in their individual PSLF application is accurate, and
- The relevant contract administrator and/or employer certifies to OPDC (under penalty of perjury) that the information contained in the Contractor's PSLF application is accurate. For each application, the contract administrator must certify that the applicant provided public defense services pursuant to the contract. In addition, either the contract administrator or the applicant's employer must certify that the applicant meets the PSLF definition of "full-time."

OPDC will review the OPDC Attestation Forms signed by the contract administrators and the public defender's employer to verify the public defender completed "full-time" work for ten years. If OPDC concludes an application is untruthful, the OPDC will notify PSLF and any other agency with regulatory authority over the person's licensure and/or profession.

FAQ'S

The Frequently Asked Questions (FAQs) for Public Loan Forgiveness (PSLF) for Contractors is a resource for common questions that the Oregon Public Defense Commission (OPDC) receives from attorneys and vendors.

The OPDC Certification of PSLF applications is a new program as of October 1, 2024. The agency has reviewed multiple requests from Contractors, and the unique circumstances for how to determine eligibility. We are completing our due diligence to confirm the Contractor meets the federal definition of full-time employment to meet the requirement to be eligible for OPDC to certify their PSLF application. We will continue to monitor the questions received with this program and update FAQs. If your question is not in our FAQs, then please submit your question to: Policy@opdc.state.or.us

An approval from OPDC does not guarantee that the federal government will approve the PSLF application, as it is not yet clear how the federal government will interpret and apply the new rule.

Is the PSLF Certification Policy retroactive? Yes, the policy is retroactive, and we will certify applicants if they meet the federal definition of full time, both in the past and prospectively.

I am an Investigator, will OPDC certify my PSLF application? Currently, we believe the answer is, yes. OPDC will certify the PSLF application if we are able to verify that the Investigator meets the definition of full time as outlined in our policy. It is up to the federal government to determine if you will qualify for federal student loan forgiveness.

I have worked for two different Contract Administrators. Do I need to complete two OPDC PSLF Certification for Contractors Forms? Yes, an OPDC PSLF Certification for Contractors Form will need to be completed for each Contract Administrator and/or employer that you have worked for.

I have completed work hours for public defense through other agencies and/or boards, is OPDC able to certify those hours? No, OPDC can only certify hours that are completed through contracts with OPDC. You will need to contact the other agencies and/or boards to request if they are able to certify your employment hours.

The firm that I previously worked for no longer exists. Who should I have complete and sign my OPDC PSLF Certification for Contractors Form? If the firm no longer exist or the Contract Administrator or employer is deceased. Continue to complete the OPDC PSLF Certification for Contractors Form and notate in the Contractor Administrator/ Employer Certification box if they are deceased or the firm no longer exists and submit to OPDC. OPDC will review the PSLF Contractor Certification Form to determine eligibility for certification.

OPDC is only able to certify full-time hours from the attested hours from the Contract Administrator and/or employer. If the Contract Administrator and/or employer is unable to, then Section 5B of the Public Service Loan Forgiveness (PSLF) & Temporary Expanded PSLF (TEPSLF) Certification & Application will need to be completed.

How do I know if I have enough hours for OPDC to certify? OPDC is using the federal definition for “full-time” employment eligibility of at least 30 hours of public defense work a week. If additional non-public defense work is completed in addition to the 30 hours a person can be eligible for certification, as long 30 hours of public defense is worked.

Full-Time employment, for PSLF purposes, means working 30 or more hours per week on average for the employment period on the form regardless of whether the employer considers that Full-Time for other purposes. Working less than 30 hours per week on average is considered Part-Time. When determining if a borrower is Full-Time, an employer must include all hours, including vacation, leave time, or any leave taken under the Family Medical Leave Act of 1993. However, do not include time spent performing volunteer services.

I am not a public defender but works in an office that contracts with OPDC. Do I qualify to have OPDC certify my PSLF application? OPDC is using the federal definition for “full-time” employment of at least 30 hours or more per week to confirm eligibility to certify the PSLF application. The administrator with your office will need to complete and sign your OPDC Contractors Certification Form to be submitted with the PSLF Application to OPDC for review.

Full-Time employment, for PSLF purposes, means working 30 or more hours per week on average for the employment period on the form regardless of whether the employer considers that Full-Time for other purposes. Working less than 30 hours per week on average is considered Part-Time. When determining if a borrower is Full-Time, an employer must include all hours, including vacation, leave time, or any leave taken under the Family Medical Leave Act of 1993. However, do not include time spent performing volunteer services.

How do I submit a request for OPDC to certify my PSLF application? The PSLF application and the OPDC PSLF Certification for Contractors Form has personally identifiable information (PII). To protect the PII all certification requests must be eFaxed to 503-386-2219.

I tried using EIN 93-1327347 and it didn't work. Another attorney told me that they used EIN 93-1070707 and it worked for them. Am I able to use EIN 93-1070707? The EIN 93-1070707 is for State of Oregon employees only. We have confirmed that only State of Oregon employees that receive a W-2 from the State of Oregon can use this EIN on their PSLF application.