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July 11, 2014

Mr. Gordon W. Watts
821 Alicia Rd
Lakeland, FL 33801-2113

Dear Mr. Watts:

Thank you for your recent correspondence. I always appreciate hearing from you and having the benefit of your views.

I'm sorry you weren't able to get your question in on the Tele-Town Hall Meeting about allowing individuals who have outstanding student loan debt to declare bankruptcy. You no doubt recall that, as I have noted before, and as I am a supporter of our nation's future leaders, I believe very strongly that students should be able to obtain financial assistance to pursue a valuable education that will result in reliable employment. In that same vein, I was proud to join my congressional colleagues to pass legislative measures like H.R. 1911, the Bipartisan Student Loan Certainty Act, which was signed into law in August of 2013. This legislation has lent permanent stability to the student loan financing market going forward by capping interest rates on Stafford and PLUS loans based on market rates.

To your question about contract law and student loans, I would say that, generally speaking, when prospective student borrowers have signed contracts for loans from the government, often there are clauses that stipulate the government is free to change certain parts of the contract. Or, alternatively as you have mentioned, it is often unclear that terms not contained in a contract, with the government or not, should ever be enforced. The latter question alone causes great division among contracts scholars. Additionally, where it is a given that private banks signed private loan contracts with students, and the President later unilaterally placed a cap on the amount these students can pay, then it is safe to say that the President is certainly interfering with the freedom of contract, and by extension, economic freedom.

To your final question, I would like to remark on your point combining the President's "pardon" powers under Article II of the Constitution. The President may pardon criminal offenders, and he may also issue executive orders; the two powers derive from the vesting of the "executive power" in the President in Article II, but they are not identical.

As always, thank you for contacting me with your concerns, and please feel free to continue to write, call, and email my office.

Sincerely,



Dennis A. Ross
Member of Congress

P.S. Thank you again for contacting me. I am constantly looking for ways to help Central Floridians. If you have a minute, I'd love to hear your thoughts on your experience. [Click here to take a brief constituent satisfaction survey so I can learn how to better serve you.](#)

DR/TD