

116TH CONGRESS
1ST SESSION

S. _____

To amend the Higher Education Act of 1965 to provide that an individual may remain eligible to participate in the teacher loan forgiveness program under title IV of such Act if the individual's period of consecutive years of employment as a full-time teacher is interrupted because the individual is the spouse of a member of the Armed Forces who is relocated during the school year pursuant to military orders for a permanent change of duty station, or the individual works in a school of the defense dependents' education system under the Defense Dependents' Education Act of 1978 due to such a relocation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. CARDIN (for himself, Mr. CORNYN, and Mr. JONES) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend the Higher Education Act of 1965 to provide that an individual may remain eligible to participate in the teacher loan forgiveness program under title IV of such Act if the individual's period of consecutive years of employment as a full-time teacher is interrupted because the individual is the spouse of a member of the Armed Forces who is relocated during the school year pursuant to military orders for a permanent change of duty station, or the individual works in a school of the defense dependents' education system under the Defense

Dependents' Education Act of 1978 due to such a relocation, and for other purposes.

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 "Preserving Teacher
5 Loan Forgiveness for Military Spouses Act of 2019".

6 **SEC. 2. CONTINUING ELIGIBILITY TO PARTICIPATE IN STU-**
7 **DENT LOAN FORGIVENESS OR LOAN CAN-**
8 **CELLATION PROGRAM FOR TEACHERS**
9 **WHOSE PERIOD OF CONSECUTIVE EMPLOY-**
10 **MENT IS INTERRUPTED BECAUSE OF MILI-**
11 **TARY ORDERS REQUIRING SPOUSE TO RELO-**
12 **CATE TO NEW RESIDENCE, OR WHO WORK IN**
13 **A SCHOOL OF THE DEFENSE DEPENDENTS'**
14 **EDUCATION SYSTEM DUE TO SUCH A RELO-**
15 **CATION.**

16 (a) CONTINUING ELIGIBILITY.—

17 (1) PART B LOANS.—Section 428J(g) of the
18 Higher Education Act of 1965 (20 U.S.C. 1078–
19 10(g)) is amended by adding at the end the fol-
20 lowing:

21 “(4) CONTINUING ELIGIBILITY FOR CERTAIN
22 MILITARY SPOUSES.—

23 “(A) IN GENERAL.—

1 “(i) COMPLETE BUT NONCONSECU-
2 TIVE YEARS.—Notwithstanding paragraph
3 (1) of subsection (b), an individual who is
4 employed in a full-time teaching position
5 that meets the requirements of this section
6 for a period that includes 5 complete but
7 nonconsecutive years may be eligible for
8 loan forgiveness pursuant to such sub-
9 section, if the individual was a qualified
10 military spouse, as defined in subpara-
11 graph (B)(i), with respect to any year dur-
12 ing such period for which the individual
13 was not employed as a full-time teacher in
14 a school or location meeting the require-
15 ments of this section.

16 “(ii) EMPLOYMENT IN DEFENSE DE-
17 PARTMENT SCHOOLS.—Notwithstanding
18 paragraph (1) of subsection (b), an indi-
19 vidual may be eligible for loan forgiveness
20 pursuant to such subsection, if the indi-
21 vidual is a qualified military spouse, as de-
22 fined in subparagraph (B)(ii), and the in-
23 dividual has been employed as a full-time
24 teacher for 5 complete school years in a
25 school described in subparagraph (A) of

1 subsection (b)(1) or in a school of the de-
2 fense dependents' education system under
3 the Defense Dependents' Education Act of
4 1978 (20 U.S.C. 921 et seq.) that is lo-
5 cated outside of the United States, and
6 met the requirements of subparagraph (B)
7 of subsection (b)(1).

8 “(B) QUALIFIED MILITARY SPOUSE DE-
9 FINED.—In this paragraph, the term ‘qualified
10 military spouse’ means—

11 “(i) with respect to a year, an indi-
12 vidual who—

13 “(I) during the previous year,
14 served as a teacher in a school or lo-
15 cation meeting the requirements of
16 subparagraph (A) of subsection (b)(1)
17 and met the requirements of subpara-
18 graph (B) of subsection (b)(1);

19 “(II) is the spouse of a member
20 of the Armed Forces who is relocated
21 during the year pursuant to military
22 orders for a permanent change of
23 duty station;

24 “(III) did not serve as a teacher
25 in a school or location meeting the re-

1 requirements of subparagraph (A) of
2 subsection (b)(1) during the year or
3 any portion of the year because the
4 individual accompanied the spouse to
5 a new residence as a result of such
6 military orders; and

7 “(IV) during the following year,
8 resumed service as a teacher in a
9 school or location meeting the require-
10 ments of subparagraph (A) of sub-
11 section (b)(1) and met the require-
12 ments of subparagraph (B) of sub-
13 section (b)(1); or

14 “(ii) an individual who is the spouse
15 of a member of the Armed Forces who is
16 relocated overseas during a year of employ-
17 ment as a teacher for which the individual
18 seeks loan forgiveness under this section
19 pursuant to military orders for a change of
20 duty station and the individual accom-
21 panied the spouse to a new residence over-
22 seas as a result of such military orders.

23 “(C) REPORTS TO CONGRESS.—Not later
24 than 90 days after the end of the second aca-
25 demic year during which this paragraph is in

1 effect, and every 2 years thereafter, the Sec-
2 retary shall submit to Congress a report de-
3 scribing the number of individuals who, as a re-
4 sult of this paragraph, remained eligible for
5 loan forgiveness pursuant to subsection (b) dur-
6 ing the 2 most recent academic years.”.

7 (2) PART D LOANS.—Section 460(g) of the
8 Higher Education Act of 1965 (20 U.S.C. 1087j(g))
9 is amended by adding at the end the following:

10 “(4) CONTINUING ELIGIBILITY FOR CERTAIN
11 MILITARY SPOUSES.—

12 “(A) IN GENERAL.—

13 “(i) COMPLETE BUT NONCONSECU-
14 TIVE YEARS.—Notwithstanding paragraph
15 (1) of subsection (b), an individual who is
16 employed in a full-time teaching position
17 that meets the requirements of this section
18 for a period that includes 5 complete but
19 nonconsecutive years may be eligible for
20 loan cancellation pursuant to such sub-
21 section, if the individual was a qualified
22 military spouse, as defined in subpara-
23 graph (B)(i), with respect to any year dur-
24 ing such period for which the individual
25 was not employed as a full-time teacher in

1 a school or location meeting the require-
2 ments of this section.

3 “(ii) EMPLOYMENT IN DEFENSE DE-
4 PARTMENT SCHOOLS.—Notwithstanding
5 paragraph (1) of subsection (b), an indi-
6 vidual may be eligible for loan cancellation
7 pursuant to such subsection, if the indi-
8 vidual is a qualified military spouse, as de-
9 fined in subparagraph (B)(ii), and the in-
10 dividual has been employed as a full-time
11 teacher for 5 complete school years in a
12 school described in subparagraph (A) of
13 subsection (b)(1) or in a school of the de-
14 fense dependents’ education system under
15 the Defense Dependents’ Education Act of
16 1978 (20 U.S.C. 921 et seq.) that is lo-
17 cated outside of the United States, and
18 met the requirements of subparagraph (B)
19 of subsection (b)(1).

20 “(B) QUALIFIED MILITARY SPOUSE DE-
21 FINED.—In this paragraph, the term ‘qualified
22 military spouse’ means—

23 “(i) with respect to a year, an indi-
24 vidual who—

1 “(I) during the previous year,
2 served as a teacher in a school or lo-
3 cation meeting the requirements of
4 subparagraph (A) of subsection (b)(1)
5 and met the requirements of subpara-
6 graph (B) of subsection (b)(1);

7 “(II) is the spouse of a member
8 of the Armed Forces who is relocated
9 during the year pursuant to military
10 orders for a permanent change of
11 duty station;

12 “(III) did not serve as a teacher
13 in a school or location meeting the re-
14 quirements of subparagraph (A) of
15 subsection (b)(1) during the year or
16 any portion of the year because the
17 individual accompanied the spouse to
18 a new residence as a result of such
19 military orders; and

20 “(IV) during the following year,
21 resumed service as a teacher in a
22 school or location meeting the require-
23 ments of subparagraph (A) of sub-
24 section (b)(1) and met the require-

1 ments of subparagraph (B) of sub-
2 section (b)(1); or

3 “(ii) an individual who is the spouse
4 of a member of the Armed Forces who is
5 relocated overseas during a year of employ-
6 ment as a teacher for which the individual
7 seeks loan forgiveness under this section
8 pursuant to military orders for a change of
9 duty station and the individual accom-
10 panied the spouse to a new residence over-
11 seas as a result of such military orders.

12 “(C) REPORTS TO CONGRESS.—Not later
13 than 90 days after the end of the second aca-
14 demic year during which this paragraph is in
15 effect, and every 2 years thereafter, the Sec-
16 retary shall submit to Congress a report de-
17 scribing the number of individuals who, as a re-
18 sult of this paragraph, remained eligible for
19 loan cancellation pursuant to subsection (b)
20 during the 2 most recent academic years.”.

21 (b) EFFECTIVE DATE.—The amendments made by
22 subsection (a) shall apply with respect to individuals who
23 first become employed as full-time teachers on or after the
24 date of the enactment of this Act.