

116TH CONGRESS  
1ST SESSION

# S. 532

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.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2019

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

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## 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.

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