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(Original Signature of Member)

116TH CONGRESS
1ST SESSION

H. R.

To amend the Higher Education Act of 1965 to provide for a deferment of student loans in the case of a student who takes a leave of absence as a result of being a victim of conduct that would violate title IX of the Education Amendments Act of 1972, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. HIGGINS of New York introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Higher Education Act of 1965 to provide for a deferment of student loans in the case of a student who takes a leave of absence as a result of being a victim of conduct that would violate title IX of the Education Amendments Act of 1972, 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 “Sexual Violence Vic-
5 tims Loan Indebtedness Deferment and Discharge Act”.

1 **SEC. 2. SPECIAL DEFERMENT FOR CERTAIN BORROWERS**
2 **WHO TAKE QUALIFIED LEAVE.**

3 Part G of the Higher Education Act of 1965 (20
4 U.S.C. 1088 et seq.) is amended by adding at the end
5 the following:

6 **“SEC. 493E. SPECIAL DEFERMENT FOR CERTAIN BOR-**
7 **ROWERS WHO TAKE QUALIFIED LEAVE.**

8 “(a) EFFECT ON PRINCIPAL AND INTEREST.—A bor-
9 rower of a loan made, insured, or guaranteed under part
10 B or part D, who meets the requirements described in sub-
11 section (b) shall be eligible for a deferment, during
12 which—

13 “(1) periodic installments of principal need not
14 be paid; and

15 “(2) in the case of a—

16 “(A) loan made, insured, or guaranteed
17 under part B, the Secretary shall repay any in-
18 terest owed; and

19 “(B) loan made under part D, interest
20 shall not accrue.

21 “(b) ELIGIBILITY.—Subject to subsection (c), a bor-
22 rower of a loan described in subsection (a) shall be eligible
23 for a deferment during any period in which such borrower
24 takes qualified leave.

25 “(c) DURATION.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), a borrower shall not be eligible for a
3 deferment under this section if the borrower has
4 been deferred under this section for an amount of
5 time the total of which exceeds 1 year.

6 “(2) EXCEPTION.—A title IX administrator
7 may extend the eligibility of a borrower for a
8 deferment under this section an additional year in
9 the case of extenuating circumstances, as defined by
10 the Secretary.

11 “(3) BACK DATE.—In the case of a borrower
12 who took a leave of absence from an institution of
13 higher education prior to being approved for quali-
14 fied leave, the Secretary shall treat the first day of
15 such leave of absence as the first day of qualified
16 leave, for purposes of a deferment under this sec-
17 tion.

18 “(d) DEFINITION OF QUALIFIED LEAVE.—In this
19 section, the term ‘qualified leave’ means a leave of absence
20 from an institution of higher education—

21 “(1) requested by a borrower enrolled in such
22 an institution of higher education who a title IX ad-
23 ministrator for such institution of higher education
24 determines is the victim of conduct that would vio-
25 late title IX of the Education Amendments of 1972

1 (20 U.S.C. 1681 et seq.), including sexual harass-
2 ment, sexual violence, dating violence, domestic vio-
3 lence, or stalking; and

4 “(2) approved by a title IX administrator for
5 such institution of higher education.”.

6 **SEC. 3. PROHIBITION OF DISCRIMINATION AND RETALIA-**
7 **TION.**

8 A student who requests qualified leave defined in sec-
9 tion 493E(d) of part G of the Higher Education Act of
10 1965 (20 U.S.C. 1088 et seq.), as added by this Act, may
11 not be excluded from participation in, denied the benefits
12 of, or subjected to, discrimination under any education
13 program or activity receiving Federal financial assistance
14 as a result of their request for, or use of, such qualified
15 leave.