

113TH CONGRESS
1ST SESSION

S. 634

To allow members of the Armed Forces and National Guard to defer principal on Federal student loans for a certain period in connection with receipt of orders for mobilization for war or national emergency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 21, 2013

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

A BILL

To allow members of the Armed Forces and National Guard to defer principal on Federal student loans for a certain period in connection with receipt of orders for mobilization for war or national emergency, 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 “Service Members Stu-
5 dent Loan Relief Act”.

1 **SEC. 2. DEFERRAL FOR CERTAIN PERIOD IN CONNECTION**
 2 **WITH RECEIPT OF ORDERS FOR MOBILIZA-**
 3 **TION FOR WAR OR NATIONAL EMERGENCY.**

4 (a) FEDERAL FAMILY EDUCATION LOANS.—Section
 5 428(b)(1)(M) of the Higher Education Act of 1965 (20
 6 U.S.C. 1078(b)(1)(M)) is amended—

7 (1) in the matter preceding clause (i), by strik-
 8 ing “, during any period”;

9 (2) in clause (i), by striking “during which”
 10 and inserting “during any period during which”;

11 (3) in clause (ii), by striking “during which”
 12 and inserting “during any period during which”;

13 (4) in clause (iii)—

14 (A) by striking “during which” and insert-
 15 ing “during any period during which”; and

16 (B) in the matter following subclause (II),
 17 by striking “ or” after the semicolon;

18 (5) by redesignating clause (iv) as clause (vi);

19 (6) by inserting after clause (iii) the following:

20 “(iv) in the case of any borrower who
 21 has received a call or order to duty de-
 22 scribed in subclause (I) or (II) of clause
 23 (iii), during the shorter of—

24 “(I) the period beginning on the
 25 date such call or order to duty is re-
 26 ceived by the borrower and ending on

1 the first day of the service described
2 in subclause (I) or (II) of clause (iii);
3 and

4 “(II) the 180-day period pre-
5 ceding the first day of such service;

6 “(v) notwithstanding clause (iv)—

7 “(I) in the case of any borrower
8 described in such clause whose call or
9 order to duty is cancelled before the
10 first day of the service described in
11 subclause (I) or (II) of clause (iii) be-
12 cause of a personal injury in connec-
13 tion with training to prepare for such
14 service, during the period described in
15 clause (iv) and during an additional
16 period equal to the duration of such
17 service, as specified by or otherwise
18 determined in the original call or
19 order to duty; and

20 “(II) in the case of any borrower
21 whose call or order to duty is can-
22 celled before the first day of such
23 service for a reason other than an in-
24 jury described in subclause (I), during
25 the period beginning on the date the

1 call or order to duty is received by the
 2 borrower and ending on the date that
 3 is 14 days after such call or order to
 4 duty is cancelled; and”; and

5 (7) in clause (vi) (as redesignated by paragraph
 6 (5)), by striking “not in excess” and inserting “dur-
 7 ing any period not in excess”.

8 (b) DIRECT LOANS.—Section 455(f)(2) of the Higher
 9 Education Act of 1965 (20 U.S.C. 1087e(f)(2)) is amend-
 10 ed—

11 (1) in the matter preceding subparagraph (A),
 12 by striking “during any period”;

13 (2) in subparagraph (A), by striking “during
 14 which” and inserting “during any period during
 15 which”;

16 (3) in subparagraph (B), by striking “not in ex-
 17 cess” and inserting “during any period not in ex-
 18 cess”;

19 (4) in subparagraph (C)—

20 (A) by striking “during which” and insert-
 21 ing “during any period during which”; and

22 (B) in the matter following clause (ii), by
 23 striking “ or” after the semicolon;

24 (5) by redesignating subparagraph (D) as sub-
 25 paragraph (F);

1 (6) by inserting after subparagraph (C) the fol-
 2 lowing:

3 “(D) in the case of any borrower who has
 4 received a call or order to duty described in
 5 clause (i) or (ii) of subparagraph (C), during
 6 the shorter of—

7 “(i) the period beginning on the date
 8 such call or order to duty is received by
 9 the borrower and ending on the first day
 10 of the service described in clause (i) or (ii)
 11 of subparagraph (C); and

12 “(ii) the 180-day period preceding the
 13 first day of such service;

14 “(E) notwithstanding subparagraph (D)—

15 “(i) in the case of any borrower de-
 16 scribed in such subparagraph whose call or
 17 order to duty is cancelled before the first
 18 day of the service described in clause (i) or
 19 (ii) of subparagraph (C) because of a per-
 20 sonal injury in connection with training to
 21 prepare for such service, during the period
 22 described in subparagraph (D) and during
 23 an additional period equal to the duration
 24 of such service, as specified by or otherwise

1 determined in the original call or order to
2 duty; and

3 “(ii) in the case of any borrower
4 whose call or order to duty is cancelled be-
5 fore the first day of such service for a rea-
6 son other than an injury described in
7 clause (i), during the period beginning on
8 the date the call or order to duty is re-
9 ceived by the borrower and ending on the
10 date that is 14 days after such call or
11 order to duty is cancelled; and”; and

12 (7) in subparagraph (F) (as redesignated by
13 paragraph (5)), by striking “not in excess” and in-
14 serting “during any period not in excess”.

15 (c) PERKINS LOANS.—Section 464(c)(2)(A) of the
16 Higher Education Act of 1965 (20 U.S.C.
17 1087dd(c)(2)(A)) is amended—

18 (1) in the matter preceding clause (i), by strik-
19 ing “during any period”;

20 (2) in clause (i), by striking “during which”
21 and inserting “during any period during which”;

22 (3) in clause (ii), by striking “not in excess”
23 and inserting “during any period not in excess”;

24 (4) in clause (iii), by striking “during which”
25 and inserting “during any period during which”;

1 (5) by redesignating clauses (iv) and (v) as
2 clauses (vi) and (vii), respectively;

3 (6) by inserting after clause (iii) the following:

4 “(iv) in the case of any borrower who has
5 received a call or order to duty described in
6 subclause (I) or (II) of clause (iii), during the
7 shorter of—

8 “(I) the period beginning on the date
9 such call or order to duty is received by
10 the borrower and ending on the first day
11 of the service described in subclause (I) or
12 (II) of clause (iii); and

13 “(II) the 180-day period preceding
14 the first day of such service;

15 “(v) notwithstanding clause (iv)—

16 “(I) in the case of any borrower de-
17 scribed in such clause whose call or order
18 to duty is cancelled before the first day of
19 the service described in subclause (I) or
20 (II) of clause (iii) because of a personal in-
21 jury in connection with training to prepare
22 for such service, during the period de-
23 scribed in clause (iv) and during an addi-
24 tional period equal to the duration of such
25 service, as specified by or otherwise deter-

1 mined in the original call or order to duty;
 2 and

3 “(II) in the case of any borrower
 4 whose call or order to duty is cancelled be-
 5 fore the first day of such service for a rea-
 6 son other than an injury described in sub-
 7 clause (I), during the period beginning on
 8 the date the call or order to duty is re-
 9 ceived by the borrower and ending on the
 10 date that is 14 days after such call or
 11 order to duty is cancelled;”;

12 (7) in clause (vi) (as redesignated by paragraph
 13 (5)), by striking “not in excess” and inserting “dur-
 14 ing any period not in excess”; and

15 (8) in clause (vii) (as redesignated by para-
 16 graph (5)), by striking “during which” and inserting
 17 “during any period during which”.

18 (d) RULE OF CONSTRUCTION.—Nothing in the
 19 amendments made by this section shall be construed to
 20 authorize any refunding of any repayment of a loan.

21 (e) APPLICABILITY.—The amendments made by this
 22 section shall apply with respect to all loans made, insured,
 23 or guaranteed under title IV of the Higher Education Act
 24 of 1965 (20 U.S.C. 1070 et seq.).

1 **SEC. 3. CONFORMING AMENDMENTS.**

2 Title IV of the Higher Education Act of 1965 (20
3 U.S.C. 1070 et seq.) is further amended—

4 (1) in section 428B(d)(1)(A)(ii) (20 U.S.C.
5 1078–2(d)(1)(A)(ii)), by striking
6 “428(b)(1)(M)(i)(I)” and inserting “or clause (i)(I),
7 (iv), or (v) of section 428(b)(1)(M)”; and

8 (2) in section 493D(a) (20 U.S.C. 1098f(a)), by
9 striking “section 428(b)(1)(M)(iii), 455(f)(2)(C), or
10 464(c)(2)(A)(iii)” and inserting “clause (iii) or (iv)
11 of section 428(b)(1)(M), subparagraph (C) or (D) of
12 section 455(f)(2), or clause (iii) or (iv) of section
13 464(c)(2)(A)”.

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