

118TH CONGRESS  
1ST SESSION

# H. R. 5588

To amend the Higher Education Act of 1965 to provide for deferment on the repayment of loans for borrowers who are victims of sex-based harassment, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 2023

Ms. DEAN of Pennsylvania (for herself, Mr. EVANS, Ms. MOORE of Wisconsin, Ms. PRESSLEY, Mrs. HAYES, Mrs. PELTOLA, Ms. CROCKETT, Ms. ROSS, Mrs. CHERFILUS-McCORMICK, Ms. ESCOBAR, and Mr. MULLIN) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Higher Education Act of 1965 to provide for deferment on the repayment of loans for borrowers who are victims of sex-based harassment, 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 “Student Loan  
5 Deferment for Sex-Based Harassment Survivors Act”.

1 **SEC. 2. DEFERMENT FOR VICTIMS OF SEX-BASED HARASS-**  
2 **MENT.**

3 Section 455(f) of the Higher Education Act of 1965  
4 (20 U.S.C. 1087e(f)) is amended—

5 (1) in paragraph (2)—

6 (A) by striking “or” at the end of subpara-  
7 graph (C);

8 (B) by striking the period at the end of  
9 subparagraph (D) and inserting “; or”; and

10 (C) by adding at the end the following:

11 “(E) not in excess of 3 years (for 1 or  
12 more periods of not less than 3 months and not  
13 more than 12 months), beginning on the date  
14 on which the borrower—

15 “(i) ceases to carry at least one-half  
16 the normal full-time work load for the  
17 course of study that the borrower is pur-  
18 suing, as determined by the eligible institu-  
19 tion (as such term is defined in section  
20 435(a)) the borrower is attending; and

21 “(ii) submits documentation to the  
22 Secretary showing that the borrower re-  
23 ported to a covered individual that the bor-  
24 rower was a victim of sex-based harass-  
25 ment (regardless of whether institutional

1 findings were made regarding that harass-  
2 ment).”]; and

3 (2) by adding at the end the following:

4 “(6) DEFINITIONS REGARDING SEX-BASED  
5 HARASSMENT.—For purposes of paragraph (2)(E)—

6 “(A) the term ‘covered individual’ means—

7 “(i) the title IX coordinator at the in-  
8 stitution (within the meaning of section  
9 106.8 of title 34, Code of Federal Regula-  
10 tions, or successor regulations);

11 “(ii) another title IX official or ad-  
12 ministrator at the institution; or

13 “(iii) a health care provider; and

14 “(B) the term ‘sex-based harassment’  
15 means—

16 “(i) sexual harassment, as defined in  
17 paragraph (1) or (2) of section 106.30(a)  
18 of title 34, Code of Federal Regulations  
19 (as in effect on September 30, 2023);

20 “(ii) dating violence, domestic vio-  
21 lence, or stalking, as those terms are de-  
22 fined in section 485(f)(6)(A)(i); or

23 “(iii) sexual assault, as that term is  
24 defined in section 485(f)(6)(A)(v).”.

1 **SEC. 3. RETURN OF FUNDS WAIVER.**

2 Section 484B(b)(2) of the Higher Education Act of  
3 1965 (20 U.S.C. 1091b(b)(2)) is amended by adding at  
4 the end the following:

5 “(F) WAIVERS OF GRANT ASSISTANCE AND  
6 LOAN REPAYMENT BY STUDENTS WHO ARE VIC-  
7 TIMS OF SEX-BASED HARASSMENT.—In addi-  
8 tion to the waivers authorized by subparagraphs  
9 (D) and (E), the Secretary may waive the  
10 amounts that students are required to return  
11 under this section with respect to any grant as-  
12 sistance (including Federal Pell Grants) or  
13 loans made under this title if the withdrawals  
14 on which the returns are based are withdrawals  
15 by students—

16 “(i) whose attendance was interrupted  
17 due to being a victim of sex-based harass-  
18 ment (as such term is defined in section  
19 455(f)(6)); and

20 “(ii) in the case of students who, in  
21 the absence of this subparagraph, would  
22 have been required to return loans made  
23 under this title, who are receiving a  
24 deferment under section 455(f)(2)(E) on  
25 such loans.”.

1 **SEC. 4. REPORT TO CONGRESS.**

2 Not later than 5 years after the date of enactment  
3 of this Act, the Secretary of Education shall prepare and  
4 submit to Congress a report that includes an evaluation  
5 of the effectiveness of the activities established under this  
6 Act, and the amendments made by this Act, including op-  
7 portunities for increased program integrity.

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