

119TH CONGRESS
2D SESSION

S. _____

To direct the Secretary of Education to establish a Public Service Educational Assistance Program to provide educational assistance to the dependents of public service employees, and for other purposes.

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

To direct the Secretary of Education to establish a Public Service Educational Assistance Program to provide educational assistance to the dependents of public service employees, 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 “Public Service Edu-
5 cational Assistance Act”.

1 **SEC. 2. ESTABLISHMENT OF THE PUBLIC SERVICE EDU-**
2 **CATIONAL ASSISTANCE PROGRAM.**

3 (a) IN GENERAL.—The Secretary shall establish a
4 Public Service Educational Assistance Program to provide
5 educational assistance to eligible dependents of public
6 service employees.

7 (b) EDUCATIONAL ASSISTANCE.—Educational assist-
8 ance provided to an eligible dependent under this Act—

9 (1) shall be in an amount that covers the cost
10 of tuition, fees, and course materials and related
11 items described in section 472(a)(2) of the Higher
12 Education Act of 1965 (20 U.S.C. 1087ll(a)(2)) for
13 a program of study at an applicable postsecondary
14 educational institution located in a State where a de-
15 pendent is eligible to receive in-State tuition; and

16 (2) may be provided for not longer than 4 aca-
17 demic years.

18 (c) METHOD OF DISTRIBUTION.—

19 (1) IN GENERAL.—The Secretary shall pay to
20 each applicable postsecondary educational institution
21 that has an agreement with the Secretary under
22 paragraph (2) such sums as may be necessary to
23 pay each eligible dependent described in subsection
24 (a) for each period of time during which that eligible
25 dependent is in attendance at an applicable postsec-
26 ondary educational institution, an amount of edu-

1 cational assistance described in subsection (b) for
2 which that eligible dependent is eligible.

3 (2) AGREEMENTS.—The Secretary shall enter
4 into agreements with applicable postsecondary edu-
5 cational institutions that desire to participate in the
6 distribution method described in paragraph (1) for
7 funds under this section.

8 (3) DISTRIBUTION OF GRANTS TO DEPEND-
9 ENTS.—Payments under this section shall be made
10 in accordance with regulations promulgated by the
11 Secretary for such purpose, in such manner as will
12 best accomplish the purpose of this section. Any dis-
13 bursement allowed to be made by crediting the de-
14 pendent's account shall be limited to tuition and
15 fees, and the cost of course materials and related
16 items described in section 472(a)(2) of the Higher
17 Education Act of 1965 (20 U.S.C. 1087ll(a)(2)).

18 **SEC. 3. COORDINATION WITH OTHER FEDERAL BENEFITS.**

19 (a) CONCURRENT BENEFITS.—A dependent may re-
20 ceive educational assistance under this Act concurrently
21 with other forms of Federal student aid, including grants
22 and loans under title IV of the Higher Education Act of
23 1965 (20 U.S.C. 1070 et seq.), and other postsecondary
24 education benefits under Federal, State, and local law.

1 (b) NO EFFECT ON RETIREMENT OR OTHER BENE-
2 FITS.—Educational assistance provided under this Act
3 shall not be considered wages or compensation for pur-
4 poses of determining eligibility for, or the amount of, any
5 retirement or other employment-related benefit, or for
6 other means-tested public benefits, except as otherwise
7 provided by law.

8 (c) TAX TREATMENT.—Educational assistance pro-
9 vided under this Act shall be exempt from taxation under
10 the Internal Revenue Code of 1986.

11 **SEC. 4. REGULATIONS.**

12 The Secretary shall promulgate such regulations as
13 are necessary to carry out this Act.

14 **SEC. 5. DEFINITIONS.**

15 In this Act:

16 (1) APPLICABLE POSTSECONDARY EDU-
17 CATIONAL INSTITUTION.—The term “applicable
18 postsecondary educational institution” means—

19 (A) a public institution of higher edu-
20 cation; or

21 (B) a public education or training program
22 that leads to a recognized postsecondary cre-
23 dential.

24 (2) DEPENDENT.—The term “dependent” has
25 the meaning given such term in section 152 of the

1 Internal Revenue Code of 1986 (determined by sub-
2 stituting “26” for “19” in subsection (c)(3)(A)(i)
3 thereof and without regard to subsection
4 (c)(3)(A)(ii) thereof).

5 (3) EDUCATOR OR TEACHER.—The term “edu-
6 cator or teacher” means an individual who is not an
7 elected official and who is employed at a public ele-
8 mentary school, a public secondary school, a public
9 school system, a State educational agency, or a local
10 educational agency.

11 (4) ELEMENTARY SCHOOL; LOCAL EDU-
12 CATIONAL AGENCY; SECONDARY SCHOOL; STATE
13 EDUCATIONAL AGENCY.—The terms “elementary
14 school”, “local educational agency”, “secondary
15 school”, and “State educational agency” have the
16 meanings given such terms in section 8101 of the
17 Elementary and Secondary Education Act of 1965
18 (20 U.S.C. 7801).

19 (5) ELIGIBLE DEPENDENT.—The term “eligible
20 dependent” means a dependent of a public service
21 employee who—

22 (A) on or after the effective date of this
23 Act, has not less than 20 years of service as a
24 public service employee, in the aggregate; and

1 (B) was a public service employee on the
2 date of enactment of this Act, or began service
3 as a public service employee after the date of
4 enactment of this Act.

5 (6) FIRST RESPONDER.—The term “first re-
6 sponder” includes a law enforcement officer or fire-
7 fighter, including—

8 (A) an employee of a government prosecu-
9 torial agency or a public defender;

10 (B) a public safety telecommunicator, in-
11 cluding a 911 operator or a fire dispatcher;

12 (C) an emergency medical services mem-
13 ber;

14 (D) an employee of the Federal Emergency
15 Management Agency;

16 (E) an employee of a State, local, or tribal
17 emergency management agency; or

18 (F) a Department of Energy nuclear cou-
19 rier or emergency response team member.

20 (7) INSTITUTION OF HIGHER EDUCATION.—The
21 term “institution of higher education” has the
22 meaning given such term in section 102 of the High-
23 er Education Act of 1965 (20 U.S.C. 1002).

24 (8) MEANS-TESTED PUBLIC BENEFIT.—The
25 term “means-tested public benefit” means a public

1 benefit (including cash, medical, housing, and food
2 assistance and social services) from the Federal Gov-
3 ernment or from a State or political subdivision of
4 a State in which the eligibility of an individual,
5 household, or family eligibility unit for benefits, the
6 amount of such benefits, or both are determined on
7 the basis of income, resources, or financial need of
8 the individual, household, or family eligibility unit.

9 (9) PUBLIC SERVICE EMPLOYEE.—The term
10 “public service employee” means an employee who
11 works full-time—

12 (A) as a first responder;

13 (B) as an educator or teacher; or

14 (C) as a social worker.

15 (10) RECOGNIZED POSTSECONDARY CREDEN-
16 TIAL.—The term “recognized postsecondary creden-
17 tial” has the meaning given such term in section 3
18 of the Workforce Innovation and Opportunity Act
19 (29 U.S.C. 3102).

20 (11) SECRETARY.—The term “Secretary”
21 means the Secretary of Education.

22 **SEC. 6. EFFECTIVE DATE.**

23 This Act shall take effect on the date that is 1 year
24 after the date of enactment of this Act