

[DISCUSSION DRAFT]

114TH CONGRESS
2D SESSION

H. R. _____

To make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to educational assistance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the Committee on _____

A BILL

To make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to educational assistance, 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
5 “_____ Act of 2016”.

1 **SEC. 2. CHARGE TO ENTITLEMENT FOR CERTAIN LICEN-**
2 **SURE AND CERTIFICATION TESTS AND NA-**
3 **TIONAL TESTS UNDER DEPARTMENT OF VET-**
4 **ERANS AFFAIRS POST-9/11 EDUCATIONAL AS-**
5 **SISTANCE PROGRAM.**

6 (a) LICENSURE AND CERTIFICATION TESTS.—Sec-
7 tion 3315(c) of title 38, United States Code, is amended
8 by striking “shall be determined” and all that follows and
9 inserting “shall be pro-rated based on the actual amount
10 of the fee charged for the test”.

11 (b) NATIONAL TESTS.—Section 3315A of such title
12 is amended—

13 (1) in subsection (a), by adding at the end the
14 following new paragraph:

15 “(3) A national test that evaluates prior learn-
16 ing and knowledge and provides an opportunity for
17 course credit at an institution of higher learning as
18 so described.”; and

19 (2) in subsection (c), by striking “shall be de-
20 termined” and all that follows and inserting “shall
21 be pro-rated based on the actual amount of the fee
22 charged for the test”.

23 (c) EFFECTIVE DATE.—The amendments made by
24 this Act shall apply to a test taken after the date that
25 is 90 days after the date of the enactment of this Act.

1 **SEC. 3. MODIFICATION OF PERCENTAGE INCREASE IN**
2 **RATES PAYABLE UNDER DEPARTMENT OF**
3 **VETERANS AFFAIRS EDUCATIONAL ASSIST-**
4 **ANCE PROGRAMS.**

5 (a) ALL-VOLUNTEER FORCE.—Section 3015(h)(2) of
6 title 38, United States Code, is amended—

7 (1) by striking “fiscal year 2014” and inserting
8 “fiscal year 2025”; and

9 (2) by striking “fiscal year 2013” and inserting
10 “fiscal year 2024”.

11 (b) SURVIVORS AND DEPENDENTS.—Section 3564(b)
12 of such title is amended—

13 (1) by striking “fiscal year 2014” and inserting
14 “fiscal year 2025”; and

15 (2) by striking “fiscal year 2013” and inserting
16 “fiscal year 2024”.

17 **SEC. 4. EXTENSION OF AUTHORITY FOR VETERANS’ ADVI-**
18 **SORY COMMITTEE ON EDUCATION.**

19 Section 3692(c) of such title is amended by striking
20 “December 31, 2016” and inserting “December 31,
21 2021”.

22 **SEC. 5. TRAINING FOR SCHOOL CERTIFYING OFFICIALS.**

23 (a) TRAINING REQUIREMENT.—The Secretary of
24 Veterans Affairs shall provide for requirements relating to
25 training for school certifying officials employed by edu-
26 cational institutions offering courses of education ap-

1 proved under chapter 36 of title 38, United States Code.
2 If an educational institution does not ensure that a school
3 certifying official employed by the educational institution
4 meets such requirements, the Secretary may disapprove
5 any course of education offered by such educational insti-
6 tution.

7 (b) SCHOOL CERTIFYING OFFICIAL DEFINED.—In
8 this section, the term “school certifying official” means
9 an employee of an educational institution with primary re-
10 sponsibility for certifying veteran enrollment at the edu-
11 cational institution.

12 **SEC. 6. REDUCTION OF AMOUNT OF HOUSING STIPEND**
13 **PAYMENTS FOR REDUCTION OF COURSE**
14 **HOURS.**

15 (a) IN GENERAL.—Subsection (i) of section 3313 of
16 title 38, United States Code, is amended to read as fol-
17 lows:

18 “(i) DETERMINATION OF HOUSING STIPEND PAY-
19 MENTS.—

20 “(1) IN GENERAL.—Any monthly housing sti-
21 pend payable under this section during the academic
22 year beginning on August 1 of a calendar year shall
23 be determined utilizing rates for basic allowances for
24 housing payable under section 403 of title 37 in ef-
25 fect as of January 1 of such calendar year.

1 “(c)(1) The Secretary may pay to any educational in-
2 stitution, or to the sponsor of a program of apprenticeship,
3 furnishing education or training under either this chapter
4 or chapter 31, 34, or 35 of this title, a reporting fee which
5 will be in lieu of any other compensation or reimbursement
6 for reports or certifications which such educational institu-
7 tion or joint apprenticeship training committee is required
8 to submit to the Secretary by law or regulation.

9 “(2) Such reporting fee shall be computed for each
10 calendar year by multiplying \$12 by the number of eligible
11 veterans or eligible persons enrolled under this chapter or
12 chapter 31, 34, or 35 of this title, or \$15 in the case of
13 those eligible veterans and eligible persons whose edu-
14 cational assistance checks are directed in care of each in-
15 stitution for temporary custody and delivery and are deliv-
16 ered at the time of registration as provided under section
17 3680(d)(4) of this title, during the calendar year. The re-
18 porting fee shall be paid to such educational institution
19 or joint apprenticeship training committee as soon as fea-
20 sible after the end of the calendar year for which it is
21 applicable.

22 “(3) No reporting fee payable to an educational insti-
23 tution under this subsection shall be subject to offset by
24 the Secretary against any liability of such institution for
25 any overpayment for which such institution may be admin-

1 istratively determined to be liable under section 3685 of
2 this title unless such liability is not contested by such in-
3 stitution or has been upheld by a final decree of a court
4 of appropriate jurisdiction.

5 “(4) Any reporting fee paid an educational institution
6 or joint apprenticeship training committee after the date
7 of the enactment of the Post-9/11 Veterans Educational
8 Assistance Improvements Act of 2011—

9 “(A) shall be utilized by such institution or
10 committee solely for the making of certifications re-
11 quired under this chapter or chapter 31, 34, or 35
12 of this title or for otherwise supporting programs for
13 veterans; and

14 “(B) may not be used for or merged with
15 amounts available for the general fund of the edu-
16 cational institution or joint apprenticeship training
17 committee.

18 “(5) The reporting fee payable under this subsection
19 shall be paid from amounts appropriated for readjustment
20 benefits.”.