

[DISCUSSION DRAFT]

116TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend title 38, United States Code, to make certain improvements in the educational assistance programs of the Department of Veterans Affairs, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

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

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**A BILL**

To amend title 38, United States Code, to make certain improvements in the educational assistance programs of the Department of Veterans Affairs, 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 Veteran Em-  
5 powerment Act of 2019”.

1 **SEC. 2. CHARGE TO ENTITLEMENT TO EDUCATIONAL AS-**  
2 **SISTANCE FOR INDIVIDUALS WHO DO NOT**  
3 **TRANSFER CREDITS FROM CERTAIN DIS-**  
4 **APPROVED PROGRAMS OF EDUCATION.**

5 Subsection (c) of section 3699 of title 38, United  
6 States Code, is amended to read as follows:

7 “(c) PERIOD NOT CHARGED.—(1) The period for  
8 which, by reason of this subsection, educational assistance  
9 is not charged against entitlement or counted toward the  
10 applicable aggregate period under section 3695 of this title  
11 shall not exceed the aggregate of—

12 “(A) the portion of the period of enrollment in  
13 the course from which the individual did not receive  
14 credit or with respect to which the individual lost  
15 training time, as determined under subsection  
16 (b)(2); and

17 “(B) the period by which a monthly stipend is  
18 extended under section 3680(a)(2)(B) of this title.

19 “(2)(A) An individual described in paragraph (2) who  
20 does not transfer credits from a program of education that  
21 is disapproved as described in subsection (b)(1)(B) shall  
22 be deemed to be an individual who did not receive such  
23 credits, as described in subsection (b)(2), except that the  
24 period for which such individual’s entitlement is not  
25 charged shall be the entire period of the individual’s en-  
26 rollment in the program of education. In carrying out this

1 subparagraph, the Secretary, in consultation with the Sec-  
2 retary of Education, shall establish procedures to deter-  
3 mine whether the individual transferred credits to a com-  
4 parable course or program of education.

5 “(B) An individual described in this paragraph is an  
6 individual who is enrolled in a course or program of edu-  
7 cation discontinued as described in subsection (b)(1)(B)  
8 during the period beginning on the date that is 120 days  
9 before the date of such discontinuance and ending on the  
10 date of such discontinuance.”.

11 **SEC. 3. ADDITIONAL REQUIREMENTS FOR APPROVAL OF**  
12 **EDUCATIONAL INSTITUTIONS FOR PURPOSES**  
13 **OF THE EDUCATIONAL ASSISTANCE PRO-**  
14 **GRAMS OF THE DEPARTMENT OF VETERANS**  
15 **AFFAIRS.**

16 Section 3675(b) of title 38, United States Code, is  
17 amended by adding at the end the following new para-  
18 graphs:

19 “(4) The educational institution is eligible to  
20 participate in a program under title IV of the High-  
21 er Education Act of 1965 (20 U.S.C. 1070 et seq.)  
22 or the Secretary has waived the requirement under  
23 this paragraph with respect to an educational insti-  
24 tution and submits to the Committees on Veterans’  
25 Affairs of the Senate and House of Representatives

1 notice of such waiver for each calendar quarter for  
2 which such waiver applies.

3 “(5) The educational institution has agreed to  
4 abide by the Principles of Excellence under Execu-  
5 tive Order 13607, as in effect on the date of the en-  
6 actment of this paragraph.”.

7 **SEC. 4. OVERSIGHT OF EDUCATIONAL INSTITUTIONS**  
8 **PLACED ON HEIGHTENED CASH MONITORING**  
9 **STATUS BY SECRETARY OF EDUCATION.**

10 Section 3673 of title 38, United States Code, is  
11 amended by adding at the end the following new sub-  
12 section:

13 “(e) NOTICE OF CASH MONITORING STATUS.—(1) If  
14 the Secretary receives notice under paragraph (2) with re-  
15 spect to an educational institution, the Secretary shall pro-  
16 vide such notice to the State approving agency for the  
17 State where the educational institution is located. Upon  
18 receipt of such notice, the State approving agency shall  
19 perform a risk-based oversight visit to the educational in-  
20 stitution.

21 “(2) Notice under this paragraph is any of the fol-  
22 lowing:

23 “(A) Notice from the Secretary of Education  
24 that pursuant to section 487(c)(1)(B) of the Higher  
25 Education Act of 1965 (20 U.S.C. 1094) an edu-

1 cational institution is receiving payments under the  
2 heightened cash monitoring payment method.

3 “(B) Notice that the Attorney General or the  
4 Federal Trade Commission has taken legal action  
5 against an educational institution relating to mis-  
6 leading marketing status.

7 “(3) If a State approving agency disapproves or sus-  
8 pends an educational institution, the State approving  
9 agency shall provide notice of such disapproval or suspen-  
10 sion to the Secretary and to the other State approving  
11 agencies. Upon receipt of notice relating to an educational  
12 institution under this paragraph, a State approving agen-  
13 cy shall perform a risk-based oversight visit to the edu-  
14 cational institution.

15 “(4) This subsection shall be carried out using  
16 amounts made available pursuant to section 3674(a)(4)  
17 of this title as long as such amounts remain available.”.

18 **SEC. 5. VERIFICATION OF ENROLLMENT FOR PURPOSES OF**  
19 **RECEIPT OF POST-9/11 EDUCATIONAL ASSIST-**  
20 **ANCE BENEFITS.**

21 Section 3313 of title 38, United States Code, is  
22 amended by adding at the end the following new sub-  
23 section:

24 “(1) VERIFICATION OF ENROLLMENT.—The Sec-  
25 retary shall require each individual who is enrolled in a

1 course or program of education and is receiving edu-  
2 cational assistance under this chapter to submit to the  
3 Secretary verification of such enrollment for each month  
4 during which the individual is so enrolled and receiving  
5 such educational assistance. Verification under this sub-  
6 section shall be in an electronic form prescribed the Sec-  
7 retary.”.