

118TH CONGRESS
1ST SESSION

H. R. 3874

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 2023

Mr. ROSENDALE introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to make certain improvements in the administration of 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 “Veterans Education
5 Assistance Improvement Act”.

1 **SEC. 2. PAYMENT OF FULL MONTHLY HOUSING STIPEND**
2 **FOR VETERANS ENROLLED IN FINAL SEMES-**
3 **TER USING EDUCATIONAL ASSISTANCE**
4 **UNDER POST-9/11 EDUCATIONAL ASSISTANCE**
5 **PROGRAM.**

6 (a) HOUSING ALLOWANCE.—Section 3680(a)(3) of
7 title 38, United States Code, is amended—

8 (1) by redesignating subparagraphs (A) and
9 (B) as clauses (i) and (ii), respectively (and by re-
10 designating each subordinate provision and the mar-
11 gins thereof accordingly);

12 (2) by striking “Notwithstanding paragraph
13 (1)” and inserting “(A) Notwithstanding paragraph
14 (1)”;

15 (3) by striking “, including a monthly housing
16 stipend described in section 3313(c) of this title,”;
17 and

18 (4) by adding at the end the following new sub-
19 paragraph (B):

20 “(B) For purposes of providing a monthly housing
21 stipend described in section 3313(c) to an eligible veteran
22 or eligible person for whom the Secretary is providing edu-
23 cational assistance under chapter 33 of this title during
24 a period that is the last semester, term, or academic period
25 pursuant to subparagraph (A), the Secretary shall treat

1 the veteran or person as pursuing a program of education
2 on more than a half-time basis.”.

3 (b) APPLICATION.—The amendments made by sub-
4 section (a) shall take effect on the date of the enactment
5 of this Act and apply with respect to a quarter, semester,
6 or term, as applicable, commencing on or after August 1,
7 2023.

8 **SEC. 3. NOTICE OF DEPARTMENT OF VETERANS AFFAIRS**
9 **RULEMAKINGS AFFECTING THE EDU-**
10 **CATIONAL ASSISTANCE PROGRAMS OF THE**
11 **DEPARTMENT.**

12 (a) IN GENERAL.—Subchapter III of chapter 36 of
13 title 38, United States Code, is amended by adding at the
14 end the following new section:

15 **“§ 3699C. Notice of rulemakings relating to edu-**
16 **ca-tional assistance programs**

17 “In the case of a rulemaking by the Secretary that
18 is not subject to notice requirements under section
19 553(b)(A) of title 5, and that relates to any educational
20 assistance program of the Department, the Secretary may
21 not implement the rule before the date that is 180 days
22 after the date on which the Secretary makes available to
23 students, educational institutions, and the Committees on
24 Veterans’ Affairs of the Senate and House of Representa-
25 tives notice of, and justification for, the rulemaking.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
 2 at the beginning of such chapter is amended by inserting
 3 after the item relating to section 3699B the following new
 4 item:

“3699C. Notice of rulemakings relating to educational assistance programs.”.

5 (c) EFFECTIVE DATE.—Section 3699C of title 38,
 6 United States Code, as added by subsection (a), shall take
 7 effect on the date of the enactment of this Act and apply
 8 with respect to a rulemaking on or after August 1, 2024.

9 **SEC. 4. NOTICE TO EDUCATIONAL INSTITUTIONS OF RISK-**
 10 **BASED SURVEYS.**

11 Section 3673A(d) of title 38, United States Code, is
 12 amended by striking “one business day” and inserting
 13 “two business days”.

14 **SEC. 5. MULTI-YEAR WAIVERS FOR EDUCATIONAL INSTITU-**
 15 **TIONS.**

16 (a) ACCREDITED COURSES.—Section 3675(b) of title
 17 38, United States Code, is amended—

18 (1) by redesignating paragraphs (1) through
 19 (4) as subparagraphs (A) through (D);

20 (2) by inserting “(1)” before “As a condition”;
 21 and

22 (3) by adding at the end the following new
 23 paragraph:

1 “(2) The Secretary may waive the requirement under
2 paragraph (1)(D) for an educational institution for mul-
3 tiple years.”.

4 (b) CONFORMING AMENDMENT.—Section
5 3672(b)(2)(A) is amended by inserting “(A) and (B)”
6 after “3675(b)(1)”.

○