

**Suspend the Rules And Pass the Bill, H.R. 1947, with Amendments**

**(The amendments strike all after the enacting clause and insert a new text and a new title)**

116<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1947

To amend title 38, United States Code, to exempt transfers of funds from Federal agencies to the Department of Veterans Affairs for nonprofit corporations established under subchapter IV of chapter 73 of such title from certain provisions of the Economy Act.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 2019

Mr. DAVID P. ROE of Tennessee (for himself and Mr. BRINDISI) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to exempt transfers of funds from Federal agencies to the Department of Veterans Affairs for nonprofit corporations established under subchapter IV of chapter 73 of such title from certain provisions of the Economy Act.

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. EXEMPTION OF CERTAIN TRANSFERS.**

4 Section 7364(b)(1) of title 38, United States Code,  
5 is amended by adding at the end the following new sen-

1 tence: “Any amounts so transferred after September 30,  
2 2016, shall be available without regard to fiscal year limi-  
3 tations, notwithstanding section 1535(d) of title 31.”.

4 **SEC. 2. IMPROVEMENTS TO ASSISTANCE FOR CERTAIN**  
5 **FLIGHT TRAINING AND OTHER PROGRAMS**  
6 **OF EDUCATION.**

7 (a) USE OF ENTITLEMENT FOR PRIVATE PILOT’S LI-  
8 CENSES.—Section 3034(d) of title 38, United States Code,  
9 is amended—

10 (1) in paragraph (1) by striking the semicolon  
11 and inserting the following: “and is required for the  
12 course of education being pursued (including with  
13 respect to a dual major, concentration, or other ele-  
14 ment of a degree); and”;

15 (2) by striking paragraph (2); and

16 (3) by redesignating paragraph (3) as para-  
17 graph (2).

18 (b) ACCELERATED PAYMENTS FOR FLIGHT TRAIN-  
19 ING.—Section 3313 of such title is amended by adding  
20 at the end the following new subsection:

21 “(1) ACCELERATED PAYMENTS FOR CERTAIN  
22 FLIGHT TRAINING.—

23 “(1) PAYMENTS.—An individual enrolled in a  
24 program of education pursued at a vocational school  
25 or institution of higher learning in which flight

1 training is required to earn the degree being pursued  
2 (including with respect to a dual major, concentra-  
3 tion, or other element of such a degree) may elect  
4 to receive accelerated payments of amounts for tui-  
5 tion and fees determined under subsection (c). The  
6 amount of each accelerated payment shall be an  
7 amount equal to twice the amount for tuition and  
8 fee so determined under such subsection, but the  
9 total amount of such payments may not exceed the  
10 total amount of tuition and fees for the program of  
11 education. The amount of monthly stipends shall be  
12 determined in accordance with such subsection (c)  
13 and may not be accelerated under this paragraph.

14 “(2) EDUCATIONAL COUNSELING.—An indi-  
15 vidual may make an election under paragraph (1)  
16 only if the individual receives educational counseling  
17 under section 3697A(a) of this title.

18 “(3) CHARGE AGAINST ENTITLEMENT.—The  
19 number of months of entitlement charged an indi-  
20 vidual for accelerated payments made pursuant to  
21 paragraph (1) shall be determined at the rate of two  
22 months for each month in which such an accelerated  
23 payment is made.”.

24 (c) FLIGHT TRAINING AT PUBLIC INSTITUTIONS.—  
25 Subsection (c)(1)(A) of such section 3313 is amended—

1 (1) in clause (i)—

2 (A) by redesignating subclauses (I) and  
3 (II) as items (aa) and (bb), respectively;

4 (B) by striking “In the case of a program  
5 of education pursued at a public institution of  
6 higher learning” and inserting “(I) Subject to  
7 subclause (II), in the case of a program of edu-  
8 cation pursued at a public institution of higher  
9 learning not described in clause (ii)(II)(bb)”;  
10 and

11 (C) by adding at the end the following new  
12 subclause:

13 “(II) In determining the actual net  
14 cost for in-State tuition and fees pursuant  
15 to subclause (I), the Secretary may not  
16 pay for tuition and fees relating to flight  
17 training.”; and

18 (2) in clause (ii)—

19 (A) in subclause (I), by redesignating  
20 items (aa) and (bb) as subitems (AA) and  
21 (BB), respectively;

22 (B) in subclause (II), by redesignating  
23 items (aa) and (bb) as subitems (AA) and  
24 (BB), respectively;

1 (C) by redesignating subclauses (I) and  
2 (II) as items (aa) and (bb), respectively;

3 (D) by striking “In the case of a program  
4 of education pursued at a non-public or foreign  
5 institution of higher learning” and inserting  
6 “(I) In the case of a program of education de-  
7 scribed in subclause (II)”;

8 (E) by adding at the end the following new  
9 subclause:

10 “(II) A program of education de-  
11 scribed in this subclause is any of the fol-  
12 lowing:

13 “(aa) A program of education  
14 pursued at a non-public or foreign in-  
15 stitution of higher learning.

16 “(bb) A program of education  
17 pursued at a public institution of  
18 higher learning in which flight train-  
19 ing is required to earn the degree  
20 being pursued (including with respect  
21 to a dual major, concentration, or  
22 other element of such a degree).”.

23 (d) CERTAIN PROGRAMS OF EDUCATION CARRIED  
24 OUT UNDER CONTRACT.—Section 3313(c)(1)(A)(ii)(II) of  
25 title 38, United States Code, as added by subsection

1 (c)(2)(E), is amended by adding at the end the following  
2 new item:

3                   “(cc) A program of education  
4                   pursued at a public institution of  
5                   higher learning in which the public in-  
6                   stitution of higher learning enters into  
7                   a contract or agreement with an enti-  
8                   ty (other than another public institu-  
9                   tion of higher learning) to provide  
10                  such program of education or a por-  
11                  tion of such program of education.”.

12 (e) APPLICATION.—

13               (1) IN GENERAL.—Except as provided by para-  
14               graph (2), the amendments made by this section  
15               shall apply with respect to a quarter, semester, or  
16               term, as applicable, commencing on or after the date  
17               of the enactment of this Act.

18               (2) SPECIAL RULE FOR CURRENT STUDENTS.—

19               In the case of an individual who, as of the date of  
20               the enactment of this Act, is using educational as-  
21               sistance under chapter 33 of title 38, United States  
22               Code, to pursue a course of education that includes  
23               a program of education described in item (bb) or  
24               (cc) of section 3313(c)(1)(A)(ii)(II) of title 38,  
25               United States Code, as added by subsections (c) and

1 (d), respectively, the amendment made by such sub-  
2 section shall apply with respect to a quarter, semes-  
3 ter, or term, as applicable, commencing on or after  
4 the date that is two years after the date of the en-  
5 actment of this Act.

6 **SEC. 3. PROVISION OF INSCRIPTIONS FOR SPOUSES AND**  
7 **CHILDREN ON CERTAIN HEADSTONES AND**  
8 **MARKERS FURNISHED BY THE SECRETARY**  
9 **OF VETERANS AFFAIRS.**

10 (a) IN GENERAL.—Section 2306 of title 38, United  
11 States Code, is amended by adding at the end the fol-  
12 lowing new subsection:

13 “(j)(1) In addition to any other authority under this  
14 section, in the case of an individual whose grave is not  
15 in a covered cemetery (as that term is defined in sub-  
16 section (f)(2)) and for whom the Secretary has furnished  
17 a headstone or marker under subsection (a) or (d), the  
18 Secretary, if feasible and upon request, may replace the  
19 headstone or marker to add an inscription for the sur-  
20 viving spouse or eligible dependent child of such individual  
21 following the death of the surviving spouse or eligible de-  
22 pendent child.

23 “(2) If the spouse or eligible dependent child of an  
24 individual referred to in paragraph (1) predeceases the in-  
25 dividual, the Secretary may, if feasible and upon request,

1 include an inscription for the spouse or dependent child  
2 on the headstone or marker furnished for the individual  
3 under subsection (a) or (d).”.

4 (b) APPLICATION.—Subsection (j) of section 2306 of  
5 title 38, United States Code, as added by subsection (a),  
6 shall apply with respect to an individual who dies on or  
7 after October 1, 2019.

8 **SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.**

9 The budgetary effects of this Act, for the purpose of  
10 complying with the Statutory Pay-As-You-Go Act of 2010,  
11 shall be determined by reference to the latest statement  
12 titled “Budgetary Effects of PAYGO Legislation” for this  
13 Act, submitted for printing in the Congressional Record  
14 by the Chairman of the House Budget Committee, pro-  
15 vided that such statement has been submitted prior to the  
16 vote on passage.

Amend the title so as to read: “A bill to amend title  
38, United States Code, to exempt transfers of funds  
from Federal agencies to the Department of Veterans Af-  
airs for nonprofit corporations established under sub-  
chapter IV of chapter 73 of such title from certain provi-  
sions of the Economy Act, and for other purposes.”.