

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 475
OFFERED BY MR. WENSTRUP OF OHIO**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “GI Bill Processing Im-
3 provement Act of 2015”.

4 **SEC. 2. IMPROVEMENT OF INFORMATION TECHNOLOGY OF**
5 **THE VETERANS BENEFITS ADMINISTRATION**
6 **OF THE DEPARTMENT OF VETERANS AF-**
7 **FAIRS.**

8 (a) PROCESSING OF CERTAIN EDUCATIONAL ASSIST-
9 ANCE CLAIMS.—The Secretary of Veterans Affairs shall,
10 to the maximum extent possible, make such changes and
11 improvements to the information technology system of the
12 Veterans Benefits Administration of the Department of
13 Veterans Affairs to ensure that—

14 (1) to the maximum extent possible, all original
15 and supplemental claims for educational assistance
16 under chapter 33 of title 38, United States Code,
17 are adjudicated electronically; and

1 by striking “or 3319 of this title” and all that follows and
2 inserting “of this title or to whom educational assistance
3 is transferred under section 3319 of this title”.

4 (b) APPLICABILITY.—The amendment made by sub-
5 section (a) shall apply with respect to a course, semester,
6 or term that begins after July 1, 2016.

7 **SEC. 4. RECODIFICATION AND IMPROVEMENT OF ELEC-**
8 **TION PROCESS FOR POST-9/11 EDUCATIONAL**
9 **ASSISTANCE PROGRAM.**

10 (a) IN GENERAL.—Subchapter III of chapter 33 is
11 amended by adding at the end the following new section:

12 **“§ 3326. Election to receive educational assistance**

13 “(a) INDIVIDUALS ELIGIBLE TO ELECT PARTICIPA-
14 TION IN POST-9/11 EDUCATIONAL ASSISTANCE.—An indi-
15 vidual may elect to receive educational assistance under
16 this chapter if such individual—

17 “(1) as of August 1, 2009—

18 “(A) is entitled to basic educational assist-
19 ance under chapter 30 of the title and has used,
20 but retains unused, entitlement under that
21 chapter;

22 “(B) is entitled to educational assistance
23 under chapter 107, 1606, or 1607 of title 10
24 and has used, but retains unused, entitlement
25 under the applicable chapter;

1 “(C) is entitled to basic educational assist-
2 ance under chapter 30 of this title but has not
3 used any entitlement under that chapter;

4 “(D) is entitled to educational assistance
5 under chapter 107, 1606, or 1607 of title 10
6 but has not used any entitlement under such
7 chapter;

8 “(E) is a member of the Armed Forces
9 who is eligible for receipt of basic educational
10 assistance under chapter 30 this title and is
11 making contributions toward such assistance
12 under section 3011(b) or 3012(c) of this title;
13 or

14 “(F) is a member of the Armed Forces
15 who is not entitled to basic educational assist-
16 ance under chapter 30 of this title by reason of
17 an election under section 3011(c)(1) or
18 3012(d)(1) of this title; and

19 “(2) as of the date of the individual’s election
20 under this paragraph, meets the requirements for
21 entitlement to educational assistance under this
22 chapter.

23 “(b) CESSATION OF CONTRIBUTIONS TOWARD GI
24 BILL.—Effective as of the first month beginning on or
25 after the date of an election under subsection (a) of an

1 individual described by paragraph (1)(E) of that sub-
2 section, the obligation of the individual to make contribu-
3 tions under section 3011(b) or 3012(c) of this title, as
4 applicable, shall cease, and the requirements of such sec-
5 tion shall be deemed to be no longer applicable to the indi-
6 vidual.

7 “(c) REVOCATION OF REMAINING TRANSFERRED
8 ENTITLEMENT.—

9 “(1) ELECTION TO REVOKE.—If, on the date an
10 individual described in paragraph (1)(A) or (1)(C) of
11 subsection (a) makes an election under that sub-
12 section, a transfer of the entitlement of the indi-
13 vidual to basic educational assistance under section
14 3020 of this title is in effect and a number of
15 months of the entitlement so transferred remain un-
16 utilized, the individual may elect to revoke all or a
17 portion of the entitlement so transferred that re-
18 mains unutilized.

19 “(2) AVAILABILITY OF REVOKED ENTITLE-
20 MENT.—Any entitlement revoked by an individual
21 under this paragraph shall no longer be available to
22 the dependent to whom transferred, but shall be
23 available to the individual instead for educational as-
24 sistance under chapter 33 of this title in accordance
25 with the provisions of this section.

1 “(3) AVAILABILITY OF UNREVOKED ENTITLE-
2 MENT.—Any entitlement described in paragraph (1)
3 that is not revoked by an individual in accordance
4 with that paragraph shall remain available to the de-
5 pendent or dependents concerned in accordance with
6 the current transfer of such entitlement under sec-
7 tion 3020 of this title.

8 “(d) POST-9/11 EDUCATIONAL ASSISTANCE.—

9 “(1) IN GENERAL.—Subject to paragraph (2)
10 and except as provided in subsection (e), an indi-
11 vidual making an election under subsection (a) shall
12 be entitled to educational assistance under this chap-
13 ter in accordance with the provisions of this chapter,
14 instead of basic educational assistance under chapter
15 30 this title, or educational assistance under chapter
16 107, 1606, or 1607 of title 10, as applicable.

17 “(2) LIMITATION ON ENTITLEMENT FOR CER-
18 TAIN INDIVIDUALS.—In the case of an individual
19 making an election under subsection (a) who is de-
20 scribed by paragraph (1)(A) of that subsection, the
21 number of months of entitlement of the individual to
22 educational assistance under this chapter 33 shall be
23 the number of months equal to—

1 “(A) the number of months of unused enti-
2 tlement of the individual under chapter 30 of
3 this title, as of the date of the election, plus

4 “(B) the number of months, if any, of enti-
5 tlement revoked by the individual under sub-
6 section (c)(1).

7 “(e) CONTINUING ENTITLEMENT TO EDUCATIONAL
8 ASSISTANCE NOT AVAILABLE UNDER 9/11 ASSISTANCE
9 PROGRAM.—

10 “(1) IN GENERAL.—In the event educational
11 assistance to which an individual making an election
12 under subsection (a) would be entitled under chapter
13 30 of this title, or chapter 107, 1606, or 1607 of
14 title 10, as applicable, is not authorized to be avail-
15 able to the individual under the provisions of this
16 chapter the individual shall remain entitled to such
17 educational assistance in accordance with the provi-
18 sions of the applicable chapter.

19 “(2) CHARGE FOR USE OF ENTITLEMENT.—
20 The utilization by an individual of entitlement under
21 paragraph (1) shall be chargeable against the enti-
22 tlement of the individual to educational assistance
23 under this chapter at the rate of one month of enti-
24 tlement under this chapter for each month of entitle-
25 ment utilized by the individual under paragraph (1)

1 (as determined as if such entitlement were utilized
2 under the provisions of chapter 30 of this title, or
3 chapter 107, 1606, or 1607 of title 10, as applica-
4 ble).

5 “(f) ADDITIONAL POST-9/11 ASSISTANCE FOR MEM-
6 BERS HAVING MADE CONTRIBUTIONS TOWARD GI
7 BILL.—

8 “(1) ADDITIONAL ASSISTANCE.—In the case of
9 an individual making an election under subsection
10 (a) who is described by subparagraph (A), (C), or
11 (E) of paragraph (1) of that subsection, the amount
12 of educational assistance payable to the individual
13 under this chapter 33 as a monthly stipend payable
14 under paragraph (1)(B) of section 3313(c) of this
15 title, or under paragraphs (2) through (7) of that
16 section (as applicable), shall be the amount other-
17 wise payable as a monthly stipend under the applica-
18 ble paragraph increased by the amount equal to—

19 “(A) the total amount of contributions to-
20 ward basic educational assistance made by the
21 individual under section 3011(b) or 3012(c) of
22 this title, as of the date of the election, multi-
23 plied by

24 “(B) the fraction—

25 “(i) the numerator of which is—

1 “(I) the number of months of en-
2 titlement to basic educational assist-
3 ance under chapter 30 of this title re-
4 maining to the individual at the time
5 of the election; plus

6 “(II) the number of months, if
7 any, of entitlement under such chap-
8 ter 30 revoked by the individual under
9 subsection (c)(1); and

10 “(ii) the denominator of which is 36
11 months.

12 “(2) MONTHS OF REMAINING ENTITLEMENT
13 FOR CERTAIN INDIVIDUALS.—In the case of an indi-
14 vidual covered by paragraph (1) who is described by
15 subsection (a)(1)(E), the number of months of enti-
16 tlement to basic educational assistance remaining to
17 the individual for purposes of paragraph
18 (1)(B)(i)(II) shall be 36 months.

19 “(3) TIMING OF PAYMENT.—The amount pay-
20 able with respect to an individual under paragraph
21 (1) shall be paid to the individual together with the
22 last payment of the monthly stipend payable to the
23 individual under paragraph (1)(B) of section
24 3313(c) of this title, or under subsections (b)
25 through (g) of that section (as applicable), before

1 the exhaustion of the individual's entitlement to edu-
2 cational assistance under this chapter.

3 “(g) CONTINUING ENTITLEMENT TO ADDITIONAL
4 ASSISTANCE FOR CRITICAL SKILLS OR SPECIALITY AND
5 ADDITIONAL SERVICE.—An individual making an election
6 under subsection (a)(1) who, at the time of the election,
7 is entitled to increased educational assistance under sec-
8 tion 3015(d) of this title, or section 16131(i) of title 10,
9 or supplemental educational assistance under subchapter
10 III of chapter 30 of this title, shall remain entitled to such
11 increased educational assistance or supplemental edu-
12 cational assistance in the utilization of entitlement to edu-
13 cational assistance under this chapter, in an amount equal
14 to the quarter, semester, or term, as applicable, equivalent
15 of the monthly amount of such increased educational as-
16 sistance or supplemental educational assistance payable
17 with respect to the individual at the time of the election.

18 “(h) ALTERNATIVE ELECTION BY SECRETARY.—

19 “(1) IN GENERAL.—In the case of an individual
20 who, on or after January 1, 2016, submits to the
21 Secretary an election under this section that the
22 Secretary determines is clearly against the interests
23 of the individual, or who fails to make an election
24 under this section, the Secretary may make an alter-
25 native election on behalf of the individual that the

1 Secretary determines is in the best interests of the
2 individual.

3 “(2) NOTICE.—If the Secretary makes an elec-
4 tion on behalf of an individual under this subsection,
5 the Secretary shall notify the individual by not later
6 than seven days after making such election and shall
7 provide the individual with a 30-day period, begin-
8 ning on the date of the individual’s receipt of such
9 notice, during which the individual may modify or
10 revoke the election made by the Secretary on the in-
11 dividual’s behalf. The Secretary shall include, as
12 part of such notice, a clear statement of why the al-
13 ternative election made by the Secretary is in the
14 best interests of the individual as compared to the
15 election submitted by the individual. The Secretary
16 shall provide the notice required under this para-
17 graph by electronic means whenever possible.

18 “(i) IRREVOCABILITY OF ELECTIONS.—An election
19 under subsection (a) or (c)(1) is irrevocable.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
21 at the beginning of such chapter is amended by adding
22 at the end the following new item:

“3326. Election to receive educational assistance.”.

23 (c) CONFORMING REPEAL.—Subsection (c) of section
24 5003 of the Post-9/11 Veterans Educational Assistance

1 Act of 2008 (Public Law 110–252; 38 U.S.C. 3301 note)
2 is hereby repealed.

3 **SEC. 5. CENTRALIZED REPORTING OF VETERAN ENROLL-**
4 **MENT BY CERTAIN GROUPS, DISTRICTS, AND**
5 **CONSORTIUMS OF EDUCATIONAL INSTITU-**
6 **TIONS.**

7 (a) IN GENERAL.—Section 3684(a) of title 38,
8 United States Code, is amended—

9 (1) in paragraph (1), by inserting “32, 33,”
10 after “31,”; and

11 (2) by adding at the end the following new
12 paragraph:

13 “(4) For purposes of this subsection, the term ‘edu-
14 cational institution’ may include a group, district, or con-
15 sortium of separately accredited educational institutions
16 located in the same State that are organized in a manner
17 that facilitates the centralized reporting of the enrollments
18 in such group, district, or consortium of institutions.”.

19 (b) EFFECTIVE DATE.—The amendments made by
20 subsection (a) shall apply with respect to reports sub-
21 mitted on or after the date of the enactment of this Act.

1 **SEC. 6. PROVISION OF INFORMATION REGARDING VET-**
2 **ERAN ENTITLEMENT TO EDUCATIONAL AS-**
3 **SISTANCE.**

4 (a) IN GENERAL.—Subchapter II of chapter 36 of
5 title 38, United States Code, is amended by adding at the
6 end the following new section:

7 **“§ 3699. Provision of certain information to edu-**
8 **catinal institutions**

9 “For each veteran or other individual pursuing a
10 course of education that has been approved under this
11 chapter using educational assistance to which the veteran
12 or other individual is entitled under chapter 30, 32, 33,
13 or 35 of this title, the Secretary shall make available to
14 the educational institution offering the course information
15 about the amount of such educational assistance to which
16 the veteran or other individual is entitled. Such informa-
17 tion shall be provided to such educational institution
18 through a secure information technology system accessible
19 by the educational institution and shall be regularly up-
20 dated to reflect any amounts used by the veteran or other
21 individual.”.

22 (b) CLERICAL AMENDMENT.—The table of sections
23 at the beginning of such chapter is amended by inserting

- 1 after the item relating to section 3698 the following new
- 2 item:

“3699. Provision of certain information to educational institutions.”.

