

117TH CONGRESS
1ST SESSION

H. R. 4874

To amend title 38, United States Code, to make certain improvements to the use of educational assistance provided by the Department of Veterans Affairs for flight training programs.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2021

Mr. CAWTHORN (for himself, Mr. NEHLS, Mr. MOORE of Alabama, and Mrs. MILLER-MEEKS) 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 to the use of educational assistance provided by the Department of Veterans Affairs for flight training programs.

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 “Fly Vets Act”.

1 **SEC. 2. IMPROVEMENTS TO ASSISTANCE PROVIDED FOR**
2 **CERTAIN FLIGHT TRAINING AND OTHER PRO-**
3 **GRAMS OF EDUCATION.**

4 (a) USE OF ENTITLEMENT FOR PRIVATE PILOT'S LI-
5 CENSES.—Section 3034(d) of title 38, United States Code,
6 is amended—

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

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

13 (3) by redesignating paragraph (3) as para-
14 graph (2).

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

18 “(m) ACCELERATED PAYMENTS FOR CERTAIN
19 FLIGHT TRAINING.—

20 “(1) PAYMENTS.—An individual enrolled in a
21 program of education pursued at an institution of
22 higher learning in which flight training is required
23 to earn the degree being pursued (including with re-
24 spect to a dual major, concentration, or other ele-
25 ment of such a degree) may elect to receive acceler-
26 ated payments of amounts for tuition and fees deter-

1 mined under subsection (c). The amount of each ac-
2 celerated payment shall be an amount equal to twice
3 the amount for tuition and fee so determined under
4 such subsection, but the total amount of such pay-
5 ments may not exceed the total amount of tuition
6 and fees for the program of education. The amount
7 of monthly stipends shall be determined in accord-
8 ance with such subsection (c) and may not be accel-
9 erated under this paragraph.

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

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

20 (c) FLIGHT TRAINING AT PUBLIC INSTITUTIONS.—

21 Subsection (c)(1)(A) of such section 3313 is amended—

22 (1) in clause (i)—

23 (A) by redesignating subclauses (I) and

24 (II) as items (aa) and (bb), respectively;

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

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

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

15 (2) in clause (ii)—

16 (A) in subclause (I), by redesignating
17 items (aa) and (bb) as subitems (AA) and
18 (BB), respectively;

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

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

24 (D) by striking “In the case of a program
25 of education pursued at a non-public or foreign

1 institution of higher learning” and inserting
2 “(I) In the case of a program of education de-
3 scribed in subclause (II)”;

4 (E) by adding at the end the following new
5 subclause:

6 “(II) A program of education de-
7 scribed in this subclause is any of the fol-
8 lowing:

9 “(aa) A program of education
10 pursued at a non-public or foreign in-
11 stitution of higher learning.

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

19 (d) CERTAIN PROGRAMS OF EDUCATION CARRIED
20 OUT UNDER CONTRACT.—Section 3313(c)(1)(A)(ii)(II) of
21 title 38, United States Code, as added by subsection
22 (c)(2)(E), is amended by adding at the end the following
23 new item:

24 “(cc) A program of education
25 pursued at a public institution of

1 higher learning in which the public in-
2 stitution of higher learning enters into
3 a contract or agreement with an enti-
4 ty (other than another public institu-
5 tion of higher learning) to provide
6 such program of education or a por-
7 tion of such program of education.”.

8 (e) APPLICATION.—

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

14 (2) SPECIAL RULE FOR CURRENT STUDENTS.—
15 In the case of an individual who, as of the date of
16 the enactment of this Act, is using educational as-
17 sistance under chapter 33 of title 38, United States
18 Code, to pursue a course of education that includes
19 a program of education described in item (bb) or
20 (cc) of section 3313(c)(1)(A)(ii)(II) of title 38,
21 United States Code, as added by subsections (c) and
22 (d), respectively, the amendment made by such sub-
23 section shall apply with respect to a quarter, semes-
24 ter, or term, as applicable, commencing on or after

1 the date that is two years after the date of the en-
2 actment of this Act.

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