

116TH CONGRESS  
1ST SESSION

# H. R. 4085

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.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2019

Mr. BILIRAKIS 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 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 (a) IN GENERAL.—Subsection (c) of section 3699 of  
6 title 38, United States Code, is amended to read as fol-  
7 lows:

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

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

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

20 “(2)(A) An individual described in paragraph (2) who  
21 transfers fewer than 12 credits from a program of edu-  
22 cation that is disapproved as described in subsection  
23 (b)(1)(B) shall be deemed to be an individual who did not  
24 receive such credits, as described in subsection (b)(2), ex-  
25 cept that the period for which such individual’s entitle-  
26 ment is not charged shall be the entire period of the indi-

1 individual's enrollment in the program of education. In car-  
2 rying out this subparagraph, the Secretary, in consultation  
3 with the Secretary of Education, shall establish procedures  
4 to determine whether the individual transferred credits to  
5 a comparable course or program of education.

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

12 (b) EFFECTIVE DATE.—The amendment made by  
13 subsection (a) shall take effect on the date that is 180  
14 days after the date of the enactment of this Act.

15 **SEC. 3. ADDITIONAL REQUIREMENTS FOR APPROVAL OF**  
16 **EDUCATIONAL INSTITUTIONS FOR PURPOSES**  
17 **OF THE EDUCATIONAL ASSISTANCE PRO-**  
18 **GRAMS OF THE DEPARTMENT OF VETERANS**  
19 **AFFAIRS.**

20 (a) IN GENERAL.—Section 3675(b) of title 38,  
21 United States Code, is amended by adding at the end the  
22 following new paragraphs:

23 “(4) The educational institution is approved  
24 and participates in a program under title IV of the  
25 Higher Education Act of 1965 (20 U.S.C. 1070 et

1 seq.) or the Secretary has waived the requirement  
2 under this paragraph with respect to an educational  
3 institution and submits to the Committees on Vet-  
4 erans' Affairs of the Senate and House of Rep-  
5 resentatives notice of such waiver for each calendar  
6 quarter for which such waiver applies.

7 “(5) The educational institution has agreed to  
8 abide by the Principles of Excellence under Execu-  
9 tive Order 13607, as in effect on the date of the en-  
10 actment of this paragraph, or the Secretary has  
11 waived the requirement under this paragraph with  
12 respect to an educational institution and submits to  
13 the Committees on Veterans' Affairs of the Senate  
14 and House of Representatives notice of such waiver  
15 for each calendar quarter for which such waiver ap-  
16 plies.”.

17 (b) EFFECTIVE DATE.—The amendment made by  
18 subsection (a) shall take effect on the date that is 180  
19 days after the date of the enactment of this Act.

20 **SEC. 4. OVERSIGHT OF EDUCATIONAL INSTITUTIONS**  
21 **PLACED ON HEIGHTENED CASH MONITORING**  
22 **STATUS BY SECRETARY OF EDUCATION.**

23 (a) IN GENERAL.—Section 3673 of title 38, United  
24 States Code, is amended by adding at the end the fol-  
25 lowing new subsection:

1       “(e) NOTICE OF CASH MONITORING STATUS.—(1) If  
2 the Secretary receives notice under paragraph (2) with re-  
3 spect to an educational institution, the Secretary shall pro-  
4 vide such notice to the State approving agency for the  
5 State where the educational institution is located by not  
6 later than 30 days after the date on which the Secretary  
7 receives such notice. Not later than 60 days after receiving  
8 such notice, the State approving agency shall perform a  
9 risk-based oversight visit to the educational institution.

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

12               “(A) Notice from the Secretary of Education  
13 that pursuant to section 487(c)(1)(B) of the Higher  
14 Education Act of 1965 (20 U.S.C. 1094) an edu-  
15 cational institution is receiving payments under the  
16 heightened cash monitoring payment method.

17               “(B) Notice that the Attorney General, the  
18 Federal Trade Commission, or any other Federal de-  
19 partment or agency has taken legal action against  
20 an educational institution relating to misleading  
21 marketing status or misconduct, as defined by the  
22 Secretary of Veterans Affairs.

23       “(3) If a State approving agency disapproves or sus-  
24 pends an educational institution, the State approving  
25 agency shall provide notice of such disapproval or suspen-

1 sion to the Secretary and to the other State approving  
2 agencies. Upon receipt of notice relating to an educational  
3 institution under this paragraph, a State approving agen-  
4 cy shall perform a risk-based oversight visit to the edu-  
5 cational institution.

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

9 (b) EFFECTIVE DATE.—The amendment made by  
10 subsection (a) shall take effect on the date that is 180  
11 days after the date of the enactment of this Act.

12 **SEC. 5. VERIFICATION OF ENROLLMENT FOR PURPOSES OF**  
13 **RECEIPT OF POST-9/11 EDUCATIONAL ASSIST-**  
14 **ANCE BENEFITS.**

15 (a) IN GENERAL.—Section 3313 of title 38, United  
16 States Code, is amended by adding at the end the fol-  
17 lowing new subsection:

18 “(1) VERIFICATION OF ENROLLMENT.—The Sec-  
19 retary shall require each individual who is enrolled in a  
20 course or program of education and is receiving edu-  
21 cational assistance under this chapter to submit to the  
22 Secretary verification of such enrollment for each month  
23 during which the individual is so enrolled and receiving  
24 such educational assistance. Verification under this sub-

1 section shall be in an electronic form prescribed by the  
2 Secretary.”.

3 (b) **EFFECTIVE DATE.**—The amendment made by  
4 subsection (a) shall take effect on August 1, 2020.

○