

118TH CONGRESS  
1ST SESSION

# S. 1309

To require the Secretary of Veterans Affairs to improve how the Department of Veterans Affairs discloses to individuals entitled to educational assistance from the Department risks associated with using such assistance at particular educational institutions and to restore entitlement of students to such assistance who are pursuing programs of education at educational institutions that are subject to Federal or State civil enforcement action, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

APRIL 26, 2023

Mr. SCHATZ (for himself and Mr. ROUNDS) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To require the Secretary of Veterans Affairs to improve how the Department of Veterans Affairs discloses to individuals entitled to educational assistance from the Department risks associated with using such assistance at particular educational institutions and to restore entitlement of students to such assistance who are pursuing programs of education at educational institutions that are subject to Federal or State civil enforcement action, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Student Veterans  
3 Transparency and Protection Act of 2023”.

4 **SEC. 2. IMPROVING TRANSPARENCY AND ACCOUNTABILITY**  
5 **OF EDUCATIONAL INSTITUTIONS FOR PUR-**  
6 **POSES OF VETERANS EDUCATIONAL ASSIST-**  
7 **ANCE.**

8 (a) **REQUIREMENT RELATING TO G.I. BILL COM-**  
9 **PARISON TOOL.—**

10 (1) **REQUIREMENT TO MAINTAIN TOOL.—**The  
11 Secretary of Veterans Affairs shall maintain the G.I.  
12 Bill Comparison Tool that was established pursuant  
13 to Executive Order 13607 (77 Fed. Reg. 25861; re-  
14 lating to establishing principles of excellence for edu-  
15 cational institutions serving service members, vet-  
16 erans, spouses, and other family members) and in  
17 effect on the day before the date of the enactment  
18 of this Act, or successor tool, to provide relevant and  
19 timely information about programs of education ap-  
20 proved under chapter 36 of title 38, United States  
21 Code, and the educational institutions that offer  
22 such programs.

23 (2) **DATA RETENTION.—**The Secretary shall en-  
24 sure that historical data that is reported via the tool  
25 maintained under paragraph (1) remains easily and  
26 prominently accessible on the [benefits.va.gov](https://benefits.va.gov) website,

1 or successor website, for a period of not less than  
2 seven years from the date of initial publication.

3 (b) PROVIDING TIMELY AND RELEVANT EDUCATION  
4 INFORMATION TO VETERANS, MEMBERS OF THE ARMED  
5 FORCES, AND OTHER INDIVIDUALS.—

6 (1) IN GENERAL.—Not later than one year  
7 after the date of the enactment of this Act, the Sec-  
8 retary of Veterans Affairs, in coordination with the  
9 Secretary of Education, shall make such changes to  
10 the tool maintained under subsection (a) as the Sec-  
11 retary determines appropriate to ensure that such  
12 tool is an effective and efficient method for providing  
13 information pursuant to section 3698(b)(5) of title  
14 38, United States Code.

15 (2) MODIFICATION OF SCOPE OF COMPREHEN-  
16 SIVE POLICY ON PROVIDING EDUCATION INFORMA-  
17 TION.—Section 3698 of title 38, United States Code,  
18 is amended—

19 (A) in subsection (a), by striking “veterans  
20 and members of the Armed Forces” and insert-  
21 ing “individuals entitled to educational assist-  
22 ance under laws administered by the Secretary  
23 of Veterans Affairs”; and

24 (B) in subsection (b)(5)—

1 (i) by striking “veterans and members  
2 of the Armed Forces” and inserting “indi-  
3 viduals described in subsection (a)”;

4 (ii) by striking “the veteran or mem-  
5 ber” and inserting “the individual”.

6 (3) G.I. BILL COMPARISON TOOL REQUIRED  
7 DISCLOSURES.—Paragraph (1) of subsection (c) of  
8 such section is amended—

9 (A) by striking subparagraph (B) and in-  
10 sserting the following:

11 “(B) for each individual described in sub-  
12 section (a) seeking information provided under  
13 subsection (b)(5) the name of each Federal stu-  
14 dent aid program, and a description of each  
15 such program, from which the individual may  
16 receive educational assistance.”;

17 (B) in subparagraph (C)—

18 (i) in clause (i), by inserting “and a  
19 definition of each type of institution;” be-  
20 fore the semicolon;

21 (ii) in clause (iv), by inserting “and if  
22 so, which programs;” before the semicolon;

23 (iii) by striking clause (v) and insert-  
24 ing the following:

1           “(v) the average annual cost to earn an as-  
2           sociate’s degree and a bachelor’s degree, with  
3           available cost information on any other degree  
4           or credential the institution awards;”;

5           (iv) in clause (vi), by inserting before  
6           the semicolon “disaggregated by—

7           “(I) individuals who received a cre-  
8           dential and individuals who did not; and

9           “(II) individuals using educational as-  
10          sistance under laws administered by the  
11          Secretary and individuals who are not”;

12          (v) in clause (xv), by striking the pe-  
13          riod at the end and inserting a semicolon;  
14          and

15          (vi) by adding at the end the following  
16          new clauses:

17          “(xvi) transfer-out rates;

18          “(xvii) credentials available and the aver-  
19          age time for completion of each credential;

20          “(xviii) employment rate and median in-  
21          come of graduates of the institution in general,  
22          disaggregated by—

23          “(I) specific credential; and

1 “(II) individuals using educational as-  
 2 sistance under laws administered by the  
 3 Secretary and individuals who are not;

4 “(xix) the number of individuals using edu-  
 5 cational assistance under laws administered by  
 6 the Secretary who are enrolled in the institution  
 7 per year; and

8 “(xx) a list of each civil settlement or find-  
 9 ing resulting from a Federal or State action in  
 10 a court of competent jurisdiction against the in-  
 11 stitution for violation of a provision of Federal  
 12 or State law that materially affects the edu-  
 13 cation provided at the institution or is the re-  
 14 sult of illicit activity, including deceptive mar-  
 15 keting or misinformation provided to prospec-  
 16 tive students or current enrollees.”.

17 (4) CLARITY OF INFORMATION PROVIDED.—

18 Paragraph (2) of such subsection is amended—

19 (A) by inserting “(A)” before “To the ex-  
 20 tent”; and

21 (B) by adding at the end the following new  
 22 subparagraph:

23 “(B) The Secretary shall ensure that information  
 24 provided under subsection (b)(5) is provided in a manner

1 that is easy and accessible to individuals described in sub-  
2 section (a).”.

3 (c) IMPROVEMENTS FOR STUDENT FEEDBACK.—

4 (1) IN GENERAL.—Subsection (b)(2) of such  
5 section is amended—

6 (A) by amending subparagraph (A) to read  
7 as follows:

8 “(A) provides institutions of higher learn-  
9 ing up to 90 days to review and respond to any  
10 feedback and address issues regarding the feed-  
11 back before the feedback is published;”;

12 (B) in subparagraph (B), by striking “;  
13 and” and inserting a semicolon;

14 (C) in subparagraph (C), by striking the  
15 period at the end and inserting a semicolon;  
16 and

17 (D) by adding at the end the following new  
18 subparagraphs:

19 “(D) for each institution of higher learning  
20 that is approved under this chapter, retains,  
21 maintains, and publishes all of such feedback  
22 for the entire duration that the institution of  
23 higher is approved under this chapter; and

1           “(E) is easily accessible to individuals de-  
2           scribed in subsection (a) and to the general  
3           public.”.

4           (2) ACCESSIBILITY FROM G.I. BILL COMPARISON  
5           TOOL.—The Secretary shall ensure that—

6                   (A) the feedback tracked and published  
7                   under subsection (b)(2) of such section, as  
8                   amended by paragraph (1), is prominently dis-  
9                   played in the tool maintained under subsection  
10                  (a) of this section; and

11                   (B) when such tool displays information  
12                   for an institution of higher learning, the appli-  
13                   cable feedback is also displayed for such institu-  
14                   tion of higher learning.

15           (d) TRAINING FOR PROVISION OF EDUCATION COUN-  
16           SELING SERVICES.—

17                   (1) IN GENERAL.—Not less than one year after  
18                   the date of the enactment of this Act, the Secretary  
19                   shall ensure that personnel employed or contracted  
20                   by the Department of Veteran Affairs to provide  
21                   education benefits counseling, vocational or transi-  
22                   tion assistance, or similar functions, including em-  
23                   ployees or contractors of the Department who pro-  
24                   vide such counseling or assistance as part of the



1 Transition Assistance Program, are trained on  
2 how—

3 (A) to use properly the tool maintained  
4 under subsection (a); and

5 (B) to provide appropriate educational  
6 counseling services to individuals described in  
7 section 3698(a) of such title, as amended by  
8 subsection (b)(2)(A).

9 (2) **TRANSITION ASSISTANCE PROGRAM DE-**  
10 **FINED.**—In this subsection, the term “Transition  
11 Assistance Program” means the program of coun-  
12 seling, information, and services under section 1142  
13 of title 10, United States Code.

14 **SEC. 3. RESTORATION OF ENTITLEMENT TO VETERANS**  
15 **EDUCATIONAL ASSISTANCE AND OTHER RE-**  
16 **LIEF FOR VETERANS AFFECTED BY CIVIL EN-**  
17 **FORCEMENT ACTIONS AGAINST EDU-**  
18 **CATIONAL INSTITUTIONS.**

19 (a) **IN GENERAL.**—Section 3699(b)(1) of title 38,  
20 United States Code, is amended—

21 (1) in subparagraph (B)(ii), by striking “; or”  
22 and inserting a semicolon;

23 (2) in subparagraph (C), by striking “; and”  
24 and inserting a semicolon; and

1           (3) by adding at the end the following new sub-  
2 paragraphs:

3           “(D) a Federal or State civil enforcement  
4 action against the education institution; or

5           “(E) an action taken by the Secretary;  
6 and”.

7           (b) MECHANISM.—The Secretary of Veterans Affairs  
8 shall establish a simple mechanism that can be used by  
9 an individual described in subsection (b)(1) of section  
10 3699 of such title by reason of subparagraph (C) or (D)  
11 of such subsection, as added by subsection (a)(3) of this  
12 section, to obtain relief under section 3699(a) of such title.

13           (c) CONFORMING AMENDMENTS.—

14           (1) SECTION HEADING.—The heading for sec-  
15 tion 3699 of such title is amended by striking “**or**  
16 **disapproval of educational institution**”  
17 and inserting “**of, disapproval of, or civil en-**  
18 **forcement actions against educational in-**  
19 **stitutions**”.

20           (2) SUBSECTION HEADING.—The heading for  
21 subsection (a) of such section is amended by striking  
22 “OR DISAPPROVAL” and inserting “, DISAPPROVAL,  
23 CIVIL ENFORCEMENT ACTIONS, AND OTHER AC-  
24 TIONS BY SECRETARY OF VETERANS AFFAIRS”.

1           (3) TABLE OF SECTIONS.—The table of sections  
2           at the beginning of chapter 36 of such title is  
3           amended by striking the item relating to section  
4           3699 and inserting the following new item:

“3699. Effects of closure of, disapproval of, or civil enforcement actions against  
          educational institutions.”.

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