

116TH CONGRESS
2D SESSION

S. 3925

To protect the entitlement of individuals to Post-9/11 Educational Assistance who discontinue pursuit of a program of education during the national emergency relating to the COVID–19 pandemic, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 9, 2020

Mr. BLUMENTHAL (for himself and Mr. BROWN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To protect the entitlement of individuals to Post-9/11 Educational Assistance who discontinue pursuit of a program of education during the national emergency relating to the COVID–19 pandemic, 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. PROTECTION OF ENTITLEMENT TO POST-9/11**
4 **EDUCATIONAL ASSISTANCE DURING COVID-**
5 **19 PANDEMIC.**

6 (a) IN GENERAL.—Any payment of educational as-
7 sistance described in subsection (b) shall not—

1 (1) be charged against any entitlement to edu-
2 cational assistance of the individual under chapter
3 33 of title 38, United States Code, including entitle-
4 ment to benefits under section 3320 of such title; or

5 (2) be counted against the aggregate period for
6 which section 3695 of such title limits the receipt of
7 educational assistance by such individual.

8 (b) EDUCATIONAL ASSISTANCE DESCRIBED.—Sub-
9 ject to subsection (d), the payment of educational assist-
10 ance described in this subsection is the payment of such
11 assistance to an individual for pursuit of a course or
12 courses under such chapter if the individual—

13 (1) discontinued such course pursuit for any
14 reason during the COVID–19 pandemic period de-
15 scribed in subsection (c); and

16 (2) failed to receive credit or lost training time
17 toward completion of the program of education being
18 so pursued.

19 (c) COVID–19 PANDEMIC PERIOD DESCRIBED.—
20 The COVID–19 pandemic period described in this sub-
21 section is the period beginning on the date of the com-
22 mencement of the national emergency declared by the
23 President under the National Emergencies Act (50 U.S.C.
24 1601 et seq.) with respect to the Coronavirus Disease

1 2019 (COVID–19) and ending on the date that is the ear-
2 lier of—

3 (1) the date on which the President revokes
4 such declaration; and

5 (2) the date on which such national emergency
6 expires.

7 (d) PERIOD NOT CHARGED.—The period for which,
8 by reason of this section, educational assistance is not
9 charged against entitlement or counted toward the appli-
10 cable aggregate period under section 3695 of this title
11 shall not exceed the aggregate of—

12 (1) the portion of the period of enrollment in
13 the course or courses from which the individual did
14 not receive credit or with respect to which the indi-
15 vidual lost training time, as determined under sub-
16 section (b)(2); and

17 (2) the period by which a monthly stipend is ex-
18 tended under subsection (e).

19 (e) CONTINUED PAYMENT OF SUBSISTENCE ALLOW-
20 ANCE.—Notwithstanding section 3680(a)(1) of such title,
21 the Secretary may, pursuant to such regulations as the
22 Secretary shall prescribe, continue to pay allowances to
23 eligible persons enrolled in courses described in subsection
24 (b) solely for the purpose of awarding a monthly housing
25 stipend described in section 3313 of such title or section

1 116(d) of Harry W. Colmery Veterans Educational Assist-
2 ance Act of 2017 (Public Law 115–48; 38 U.S.C. 3001
3 note), during periods following the discontinuation of a
4 course or courses pursuit described in subsection (b)(1),
5 except that payment of such stipend may only continue
6 until the earlier of—

7 (1) the date of the end of the term, quarter, or
8 semester during which the discontinuation occurred;
9 and

10 (2) the date that is 28 days after the date of
11 the discontinuation.

12 (f) ADDITIONAL RELIEF.—

13 (1) TUTORIAL ASSISTANCE.—Any amount re-
14 ceived under section 3314 of such title for tutorial
15 assistance under such section that was discontinued
16 during the COVID–19 pandemic period described in
17 subsection (c) because of the national emergency de-
18 scribed in such subsection shall not count toward the
19 aggregate amount under subsection (c) of such sec-
20 tion.

21 (2) ASSISTANCE FOR RELOCATION OR TRAV-
22 EL.—Any amount received under section 3318 of
23 such title if the amount was paid during—

1 (A) the academic term of a course that
2 was discontinued as described in subsection
3 (b)(1);

4 (B) the 30-day period immediately pre-
5 ceding such academic term; or

6 (C) the 30-day period immediately fol-
7 lowing such academic term.

8 (3) TESTS.—Educational assistance received
9 under section 3315 or 3315A of such title for a test
10 that the Secretary finds could not be taken because
11 of the national emergency described in subsection (c)
12 shall not be charged against entitlement under sec-
13 tion 3315(c) or section 3315A(c) of such title, re-
14 spectively.

15 (g) WAIVER OF CERTAIN REGULATION.—Section
16 21.7020(b)(19)(ii) of title 38, Code of Federal Regula-
17 tions, as in effect on the day before the date of the enact-
18 ment of this Act, shall not apply to any discontinuation
19 or withdrawal described in this section.

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