

111TH CONGRESS  
1ST SESSION

# S. 793

To direct the Secretary of Veterans Affairs to establish a scholarship program for students seeking a degree or certificate in the areas of visual impairment and orientation and mobility.

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## IN THE SENATE OF THE UNITED STATES

APRIL 2, 2009

Mr. BROWN introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To direct the Secretary of Veterans Affairs to establish a scholarship program for students seeking a degree or certificate in the areas of visual impairment and orientation and mobility.

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 “Department of Vet-  
5       erans Affairs Vision Scholars Act of 2009”.

1 **SEC. 2. VISUAL IMPAIRMENT AND ORIENTATION AND MO-**  
 2 **BILITY PROFESSIONALS EDUCATION ASSIST-**  
 3 **ANCE PROGRAM.**

4 (a) ESTABLISHMENT OF PROGRAM.—Part V of title  
 5 38, United States Code, is amended by adding at the end  
 6 the following new chapter:

7 **“CHAPTER 80—VISUAL IMPAIRMENT AND**  
 8 **ORIENTATION AND MOBILITY PROFES-**  
 9 **SIONALS EDUCATION ASSISTANCE**  
 10 **PROGRAM**

“Sec.

“8001. Establishment of scholarship program; purpose.

“8002. Application and acceptance.

“8003. Amount of assistance; duration.

“8004. Agreement.

“8005. Repayment for failure to satisfy requirements of agreement.

11 **“§ 8001. Establishment of scholarship program; pur-**  
 12 **pose**

13 “(a) ESTABLISHMENT.—Subject to the availability of  
 14 appropriations, the Secretary shall establish and carry out  
 15 a scholarship program to provide financial assistance in  
 16 accordance with this chapter to an individual—

17 “(1) who is accepted for enrollment or currently  
 18 enrolled in a program of study leading to a degree  
 19 or certificate in visual impairment or orientation and  
 20 mobility, or a dual degree or certification in both  
 21 such areas, at an accredited (as determined by the

1 Secretary) educational institution that is in a State;  
 2 and

3 “(2) who enters into an agreement with the  
 4 Secretary as described in section 8004 of this chap-  
 5 ter.

6 “(b) PURPOSE.—The purpose of the scholarship pro-  
 7 gram established under this chapter is to increase the sup-  
 8 ply of qualified blind rehabilitation specialists for the De-  
 9 partment and the Nation.

10 “(c) OUTREACH.—The Secretary shall publicize the  
 11 scholarship program established under this chapter to edu-  
 12 cational institutions throughout the United States, with  
 13 an emphasis on disseminating information to such institu-  
 14 tions with high numbers of Hispanic students and to His-  
 15 torically Black Colleges and Universities.

16 **“§ 8002. Application and acceptance**

17 “(a) APPLICATION.—(1) To apply and participate in  
 18 the scholarship program under this chapter, an individual  
 19 shall submit to the Secretary an application for such par-  
 20 ticipation together with an agreement described in section  
 21 8004 of this chapter under which the participant agrees  
 22 to serve a period of obligated service in the Department  
 23 as provided in the agreement in return for payment of  
 24 educational assistance as provided in the agreement.

1       “(2) In distributing application forms and agreement  
 2 forms to individuals desiring to participate in the scholar-  
 3 ship program, the Secretary shall include with such forms  
 4 the following:

5           “(A) A fair summary of the rights and liabil-  
 6 ities of an individual whose application is approved  
 7 (and whose agreement is accepted) by the Secretary.

8           “(B) A full description of the terms and condi-  
 9 tions that apply to participation in the scholarship  
 10 program and service in the Department.

11       “(b) APPROVAL.—(1) Upon the Secretary’s approval  
 12 of an individual’s participation in the scholarship program,  
 13 the Secretary shall, in writing, promptly notify the indi-  
 14 vidual of that acceptance.

15       “(2) An individual becomes a participant in the schol-  
 16 arship program upon such approval by the Secretary.

17 **“§ 8003. Amount of assistance; duration**

18       “(a) AMOUNT OF ASSISTANCE.—The amount of the  
 19 financial assistance provided for an individual under this  
 20 chapter shall be the amount determined by the Secretary  
 21 as being necessary to pay the tuition and fees of the indi-  
 22 vidual. In the case of an individual enrolled in a program  
 23 of study leading to a dual degree or certification in both  
 24 the areas of study described in section 8001(a)(1) of this  
 25 chapter, the tuition and fees shall not exceed the amounts

1 necessary for the minimum number of credit hours to  
2 achieve such dual certification or degree.

3       “(b) RELATIONSHIP TO OTHER ASSISTANCE.—Fi-  
4 nancial assistance may be provided to an individual under  
5 this chapter to supplement other educational assistance to  
6 the extent that the total amount of educational assistance  
7 received by the individual during an academic year does  
8 not exceed the total tuition and fees for such academic  
9 year.

10       “(c) MAXIMUM AMOUNT OF ASSISTANCE.—(1) In no  
11 case may the total amount of assistance provided under  
12 this chapter for an academic year to an individual who  
13 is a full-time student exceed \$15,000.

14       “(2) In the case of an individual who is a part-time  
15 student, the total amount of assistance provided under  
16 this chapter shall bear the same ratio to the amount that  
17 would be paid under paragraph (1) if the participant were  
18 a full-time student in the program of study being pursued  
19 by the individual as the coursework carried by the indi-  
20 vidual to full-time coursework in that program of study.

21       “(3) In no case may the total amount of assistance  
22 provided to an individual under this chapter exceed  
23 \$45,000.

1       “(d) MAXIMUM DURATION OF ASSISTANCE.—The  
 2 Secretary may provide financial assistance to an individual  
 3 under this chapter for not more than six years.

4   **“§ 8004. Agreement**

5       “An agreement between the Secretary and a partici-  
 6 pant in the scholarship program under this chapter shall  
 7 be in writing, shall be signed by the participant, and shall  
 8 include—

9           “(1) the Secretary’s agreement to provide the  
 10 participant with financial assistance as authorized  
 11 under this chapter;

12          “(2) the participant’s agreement—

13           “(A) to accept such financial assistance;

14           “(B) to maintain enrollment and attend-  
 15 ance in the program of study described in sec-  
 16 tion 8001(a)(1) of this chapter;

17           “(C) while enrolled in such program, to  
 18 maintain an acceptable level of academic stand-  
 19 ing (as determined by the educational institu-  
 20 tion offering such program under regulations  
 21 prescribed by the Secretary); and

22           “(D) after completion of the program, to  
 23 serve as a full-time employee in the Department  
 24 for a period of three years, to be served within  
 25 the first six years after the participant has com-

1           pleted such program and received a degree or  
 2           certificate described in section 8001(a)(1) of  
 3           this chapter; and

4           “(3) any other terms and conditions that the  
 5       Secretary determines appropriate for carrying out  
 6       this chapter.

7   **“§ 8005. Repayment for failure to satisfy require-**  
 8               **ments of agreement**

9       “(a) IN GENERAL.—An individual who receives edu-  
 10   cational assistance under this chapter shall repay to the  
 11   Secretary an amount equal to the unearned portion of  
 12   such assistance if the individual fails to satisfy the require-  
 13   ments of the agreement entered into under section 8004  
 14   of this chapter, except in circumstances authorized by the  
 15   Secretary.

16       “(b) AMOUNT OF REPAYMENT.—The Secretary shall  
 17   establish, by regulations, procedures for determining the  
 18   amount of the repayment required under this subsection  
 19   and the circumstances under which an exception to the  
 20   required repayment may be granted.

21       “(c) WAIVER OR SUSPENSION OF COMPLIANCE.—  
 22   The Secretary shall prescribe regulations providing for the  
 23   waiver or suspension of any obligation of an individual for  
 24   service or payment under this chapter (or an agreement  
 25   under this chapter) whenever noncompliance by the indi-

vidual is due to circumstances beyond the control of the individual or whenever the Secretary determines that the waiver or suspension of compliance is in the best interest of the United States.

“(d) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to repay the Secretary under this section is, for all purposes, a debt owed the United States. A discharge in bankruptcy under title 11 does not discharge a person from such debt if the discharge order is entered less than five years after the date of the termination of the agreement or contract on which the debt is based.”.

(b) CLERICAL AMENDMENTS.—The tables of chapters at the beginning of title 38, and of part V of title 38, are each amended by inserting after the item relating to chapter 79 the following new item:

“80. Visual Impairment and Orientation and Mobility Professionals  
Education Assistance Program ..... 8001.”.

**SEC. 3. EFFECTIVE DATE.**

The Secretary of Veterans Affairs shall implement chapter 80 of title 38, United States Code, as added by section 2, not later than six months after the date of the enactment of this Act.

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