

113TH CONGRESS
1ST SESSION

H. R. 179

To amend title 38, United States Code, to allow certain veterans to use educational assistance provided by the Department of Veterans Affairs for franchise training.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2013

Mr. GRIFFIN of Arkansas introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 38, United States Code, to allow certain veterans to use educational assistance provided by the Department of Veterans Affairs for franchise training.

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 “Franchise Education
5 for Veterans Act”.

6 **SEC. 2. USE OF EDUCATIONAL ASSISTANCE FOR FRAN-** 7 **CHISE TRAINING.**

8 (a) GI BILL.—

1 (1) PROGRAM OF EDUCATION.—Subparagraph
2 (C) of section 3002(3) of title 38, United States
3 Code, is amended to read as follows:

4 “(C) in the case of an individual who is not
5 serving on active duty, includes—

6 “(i) a full-time program of apprenticeship
7 or of other on-job training approved as provided
8 in paragraph (1) or (2), as appropriate, of sec-
9 tion 3687(a) of this title;

10 “(ii) a cooperative program (as defined in
11 section 3482(a)(2) of this title); and

12 “(iii) a training program at a training es-
13 tablishment described in section 3452(e)(2) of
14 this title that—

15 “(I) is approved for purposes of chap-
16 ter 32 or 34 of this title; and

17 “(II) is for a franchise (as defined in
18 section 436.1 of title 16, Code of Federal
19 Regulations).”.

20 (2) LIMITATIONS.—Section 3032 of such title is
21 amended by adding at the end the following:

22 “(h)(1) Subject to paragraphs (3) and (4), the
23 amount of educational assistance payable under this chap-
24 ter for a program of education consisting of a training
25 program at a training establishment described in section

1 3452(e)(2) of this title shall be, with respect to any 12-
2 month period in which such training is pursued, the lesser
3 of the following:

4 “(A) The sum of—

5 “(i) the fees assessed by the training es-
6 tablishment concerned for the training;

7 “(ii) a monthly housing stipend for each
8 month (or pro rata amount for each partial
9 month) of training pursued equal to the month-
10 ly amount of the basic allowance for housing
11 payable under section 403 of title 37 for a
12 member with dependents in pay grade E-5 re-
13 siding in the military housing area that encom-
14 passes all or the majority portion of the ZIP
15 code area in which is located the training estab-
16 lishment; and

17 “(iii) a monthly stipend in an amount
18 equal to \$83 for each month (or pro rata
19 amount for each partial month) of training pur-
20 sued for books supplies, equipment, and other
21 educational costs.

22 “(B) \$15,000.

23 “(2) The number of months of entitlement charged
24 in the case of any individual for a training program de-
25 scribed in paragraph (1) is equal to the number (including

1 any fraction) determined by dividing the total amount of
2 educational assistance paid such individual for such pro-
3 gram by the full-time monthly institutional rate of edu-
4 cational assistance such individual would otherwise be paid
5 under subsection (a)(1), (b)(1), (d), or (e)(1) of section
6 3015 of this title, as the case may be.

7 “(3)(A) In no event shall payment of educational as-
8 sistance under this subsection for training described in
9 paragraph (1) exceed the amount of the individual’s avail-
10 able entitlement under this chapter.

11 “(B) With respect to an individual entitled to edu-
12 cational assistance under this subsection who is not de-
13 scribed in subsection (a)(1) or (c)(1) of section 3015 of
14 this title, the Secretary shall adjust the amount payable
15 under paragraph (1) by an amount determined by the Sec-
16 retary to reflect the difference in the rate of educational
17 assistance such individual would be paid under such sec-
18 tion as compared to the rate an individual described in
19 subsection (a)(1) or (c)(1) of such section would be paid
20 under such section.

21 “(4) A veteran may not receive—

22 “(A) more than 12 months of educational as-
23 sistance under this subsection; and

24 “(B) a total amount of educational assistance
25 under this subsection that is more than \$15,000.”.

1 (b) POST-9/11 GI BILL.—

2 (1) APPROVED PROGRAMS.—Section 3313(b) of
3 such title is amended by striking the period at the
4 end and inserting “, including a training program
5 described in section 3002(3)(C)(iii) of this title.”.

6 (2) FRANCHISE TRAINING.—Section 3313(g)(3)
7 of such title is amended by adding at the end the
8 following new subparagraph:

9 “(E) Subject to clauses (ii) and (iii), in the
10 case of an individual pursuing a program of
11 education consisting of a training program at a
12 training establishment described in section
13 3452(e)(2) of this title, amounts, with respect
14 to any 12-month period in which such training
15 is pursued, as follows:

16 “(i) An amount equal to the lesser
17 of—

18 “(I) the sum of—

19 “(aa) the fees assessed by
20 the training establishment con-
21 cerned for the training;

22 “(bb) a monthly housing sti-
23 pend for each month (or pro rata
24 amount for each partial month)
25 of training pursued equal to the

1 monthly amount of the basic al-
2 lowance for housing payable
3 under section 403 of title 37 for
4 a member with dependents in pay
5 grade E-5 residing in the mili-
6 tary housing area that encom-
7 passes all or the majority portion
8 of the ZIP code area in which is
9 located the training establish-
10 ment; and

11 “(cc) a monthly stipend in
12 an amount equal to \$83 for each
13 month (or pro rata amount for
14 each partial month) of training
15 pursued for books supplies,
16 equipment, and other educational
17 costs; or

18 “(II) \$15,000.

19 “(ii) In the case of an individual enti-
20 tled to educational assistance by reason of
21 paragraphs (3) through (8) of sections
22 3311(b), the amounts payable pursuant to
23 clause (i) shall be the amounts otherwise
24 determined pursuant to such clause multi-
25 plied by the same percentage applicable to

1 the monthly amounts payable to the indi-
2 vidual under paragraphs (2) through (7) of
3 subsection (c).

4 “(iii) A veteran may not receive—

5 “(I) more than 12 months of
6 educational assistance under this sub-
7 section; and

8 “(II) a total amount of edu-
9 cational assistance under this sub-
10 section that is more than \$15,000.”.

11 (3) PAYMENTS.—Section 3313(g)(4)(C) of such
12 title is amended by adding at the end the following:

13 “(iii) Payment for the amount payable
14 under paragraph (3)(E) for pursuit of a
15 program of education consisting of a train-
16 ing program at a training establishment
17 described in section 3452(e)(2) of this title
18 shall be paid to the individual upon the
19 Secretary receiving a certification of enroll-
20 ment with respect to the individual made
21 by such establishment.”.

○