

113TH CONGRESS
1ST SESSION

S. 863

To amend title 38, United States Code, to repeal time limitations on the eligibility for use of educational assistance under All-Volunteer Force Educational Assistance Program, to improve veterans education outreach, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 6, 2013

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

A BILL

To amend title 38, United States Code, to repeal time limitations on the eligibility for use of educational assistance under All-Volunteer Force Educational Assistance Program, to improve veterans education outreach, 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 “Veterans Back to
5 School Act of 2013”.

1 **SEC. 2. REPEAL OF TIME LIMITATIONS ON USE OF EDU-**
 2 **CATIONAL ASSISTANCE UNDER ALL-VOLUN-**
 3 **TEER FORCE EDUCATIONAL ASSISTANCE**
 4 **PROGRAM.**

5 (a) IN GENERAL.—Section 3031 of title 38, United
 6 States Code, is amended by adding at the end the fol-
 7 lowing new subsection:

8 “(i)(1) Notwithstanding subsections (a) through (g)
 9 and any other provision of law, the period during which
 10 a covered individual entitled to educational assistance
 11 under this chapter may use such covered individual’s enti-
 12 tlement shall not end until the date that is 10 years after
 13 the date on which such covered individual begins using
 14 such benefit.

15 “(2) For purposes of this subsection, a covered indi-
 16 vidual is any individual—

17 “(A) whose basic pay was reduced under para-
 18 graph (1) of section 3011(b) of this title; or

19 “(B) with respect to whom an amount was col-
 20 lected under paragraph (2) of such section.”.

21 (b) CONFORMING AMENDMENT.—Section 3020(f) of
 22 such title is amended by adding at the end the following
 23 new paragraph:

24 “(4) Subsection (i) of section 3031 of this title shall
 25 not apply for purposes of this subsection.”.

1 (c) EFFECTIVE DATE.—Subsection (i) of section
2 3031 of such title, as added by subsection (a), and para-
3 graph (4) of section 3020(f) of such title, as added by
4 subsection (b), shall apply as if such subsection and such
5 paragraph had been enacted immediately after the enact-
6 ment of the Veterans’ Educational Assistance Act of 1984
7 (Public Law 98–525; 98 Stat. 2553).

8 **SEC. 3. VETERANS EDUCATION OUTREACH PROGRAM.**

9 (a) ESTABLISHMENT.—Chapter 36 of title 38,
10 United States Code, is amended by adding at the end of
11 subchapter II the following new section:

12 **“§ 3697B. Veterans education outreach program**

13 “(a) IN GENERAL.—The Secretary shall provide
14 funding for offices of veterans affairs at institutions of
15 higher learning, as defined in section 3452(f), in accord-
16 ance with this section.

17 “(b) PAYMENTS TO INSTITUTIONS OF HIGHER
18 LEARNING.—(1)(A) The Secretary shall, subject to the
19 availability of appropriations, make payments to any insti-
20 tution of higher learning, under and in accordance with
21 this section, during any fiscal year if the number of per-
22 sons eligible for services from offices assisted under this
23 section at the institution is at least 50, determined in the
24 same manner as the number of eligible veterans or eligible
25 persons is determined under section 3684(c) of this title.

1 “(B) The persons who are eligible for services from
2 the offices assisted under this section are persons receiving
3 educational assistance administered by the Department of
4 Veterans Affairs, including assistance provided under
5 chapter 1606 of title 10.

6 “(2) To be eligible for a payment under this section,
7 an institution of higher learning or a consortium of insti-
8 tutions of higher learning, as described in paragraph (3),
9 shall submit an application to the Secretary. The applica-
10 tion shall—

11 “(A) set forth such policies, assurances, and
12 procedures that will ensure that—

13 “(i) the funds received by the institution,
14 or each institution in a consortium of institu-
15 tions described in paragraph (3), under this
16 section will be used solely to carry out this sec-
17 tion;

18 “(ii) for enhancing the functions of its vet-
19 erans education outreach program, the appli-
20 cant will expend, during the academic year for
21 which a payment is sought, an amount equal to
22 at least the amount of the award under this
23 section from sources other than this or any
24 other Federal program; and

1 “(iii) the applicant will submit to the Sec-
2 retary such reports as the Secretary may re-
3 quire or as are required by this section;

4 “(B) contain such other statement of policies,
5 assurances, and procedures as the Secretary may re-
6 quire in order to protect the financial interests of
7 the United States;

8 “(C) set forth such plans, policies, assurances,
9 and procedures as will ensure that the applicant will
10 maintain an office of veterans’ affairs which has re-
11 sponsibility for—

12 “(i) veterans’ certification, outreach, re-
13 cruitment, and special education programs, in-
14 cluding the provision of or referral to edu-
15 cational, vocational, and personal counseling for
16 veterans; and

17 “(ii) providing information regarding other
18 services provided veterans by the Department,
19 including the readjustment counseling program
20 authorized under section 1712A of this title and
21 the programs carried out under chapters 41
22 and 42 of this title; and

23 “(D) be submitted at such time or times, in
24 such manner, in such form, and contain such infor-
25 mation as the Secretary determines necessary to

1 carry out the functions of the Secretary under this
2 section.

3 “(3) An institution of higher learning which is eligible
4 for funding under this section and which the Secretary
5 determines cannot feasibly carry out, by itself, any or all
6 of the activities set forth in paragraph (2)(C), may carry
7 out such program or programs through a consortium
8 agreement with one or more other institutions of higher
9 learning in the same community.

10 “(4) The Secretary shall not approve an application
11 under this subsection unless the Secretary determines that
12 the applicant will implement the requirements of para-
13 graph (2)(C) within the first academic year during which
14 it receives a payment under this section.

15 “(c) AMOUNT OF PAYMENTS.—(1)(A) Subject to sub-
16 paragraph (B), the amount of the payment which any in-
17 stitution shall receive under this section for any fiscal year
18 shall be \$100 for each person who is described in sub-
19 section (b)(1)(B).

20 “(B) The maximum amount of payments to any insti-
21 tution of higher learning, or any branch thereof which is
22 located in a community which is different from that in
23 which the parent institution thereof is located, in any fis-
24 cal year is \$150,000.

1 “(2)(A) The Secretary shall pay to each institution
2 of higher learning which has had an application approved
3 under subsection (b) the amount which it is to receive
4 under this section. If the amount appropriated for any fis-
5 cal year is not sufficient to pay the amounts which all such
6 institutions are to receive, the Secretary shall ratably re-
7 duce such payments. If any amount becomes available to
8 carry out this section for a fiscal year after such reduc-
9 tions have been imposed, such reduced payments shall be
10 increased on the same basis as they were reduced.

11 “(B) In making payments under this section for any
12 fiscal year, the Secretary shall apportion the appropriation
13 for making such payments, from funds which become
14 available as a result of the limitation on payments set
15 forth in paragraph (1)(B), in an equitable manner.

16 “(d) COORDINATION AND PROVISION OF ASSIST-
17 ANCE, TECHNICAL CONSULTATION, AND INFORMATION.—
18 The Secretary, in carrying out the provisions of this sec-
19 tion, shall seek to assure the coordination of programs as-
20 sisted under this section with other programs carried out
21 by the Department pursuant to this title, and the Sec-
22 retary shall provide all assistance, technical consultation,
23 and information otherwise authorized by law as necessary
24 to promote the maximum effectiveness of the activities and
25 programs assisted under this section.

1 “(e) BEST PRACTICES AND ADMINISTRATION.—(1)
2 From the amounts made available for any fiscal year
3 under subsection (f), the Secretary shall retain one per-
4 cent or \$20,000, whichever is less, for the purpose of col-
5 lecting information about exemplary veterans educational
6 outreach programs and disseminating that information to
7 other institutions of higher learning having such programs
8 on their campuses. Such collection and dissemination shall
9 be done on an annual basis.

10 “(2) From the amounts made available under sub-
11 section (f), the Secretary may retain not more than two
12 percent for the purpose of administering this section.

13 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
14 is authorized to be appropriated to carry out this section
15 \$6,000,000 for fiscal year 2012 and each fiscal year there-
16 after.”.

17 (b) CLERICAL AMENDMENT.—The table of sections
18 at the beginning of chapter 36 of title 38, United States
19 Code, is amended by inserting after the item relating to
20 section 3697A the following new item:

“3697B. Veterans education outreach program.”.

○