

114TH CONGRESS
2D SESSION

H. R. 5174

To make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to educational assistance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2016

Mrs. RADEWAGEN introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to educational assistance, 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 Education
5 Enhancement Act of 2016”.

1 **SEC. 2. CHARGE TO ENTITLEMENT FOR CERTAIN LICEN-**
2 **SURE AND CERTIFICATION TESTS AND NA-**
3 **TIONAL TESTS UNDER DEPARTMENT OF VET-**
4 **ERANS AFFAIRS POST-9/11 EDUCATIONAL AS-**
5 **SISTANCE PROGRAM.**

6 (a) **LICENSURE AND CERTIFICATION TESTS.**—Sec-
7 tion 3315(c) of title 38, United States Code, is amended
8 by striking “shall be determined” and all that follows and
9 inserting “shall be pro-rated based on the actual amount
10 of the fee charged for the test”.

11 (b) **NATIONAL TESTS.**—Section 3315A of such title
12 is amended—

13 (1) in subsection (a), by adding at the end the
14 following new paragraph:

15 “(3) A national test that evaluates prior learn-
16 ing and knowledge and provides an opportunity for
17 course credit at an institution of higher learning as
18 so described.”; and

19 (2) in subsection (c), by striking “shall be de-
20 termined” and all that follows and inserting “shall
21 be pro-rated based on the actual amount of the fee
22 charged for the test”.

23 (c) **EFFECTIVE DATE.**—The amendments made by
24 this Act shall apply to a test taken after the date that
25 is 90 days after the date of the enactment of this Act.

1 **SEC. 3. MODIFICATION OF PERCENTAGE INCREASE IN**
2 **RATES PAYABLE UNDER DEPARTMENT OF**
3 **VETERANS AFFAIRS EDUCATIONAL ASSIST-**
4 **ANCE PROGRAMS.**

5 (a) ALL-VOLUNTEER FORCE.—Section 3015(h)(2) of
6 title 38, United States Code, is amended—

7 (1) by striking “fiscal year 2014” and inserting
8 “fiscal year 2025”; and

9 (2) by striking “fiscal year 2013” and inserting
10 “fiscal year 2024”.

11 (b) SURVIVORS AND DEPENDENTS.—Section 3564(b)
12 of such title is amended—

13 (1) by striking “fiscal year 2014” and inserting
14 “fiscal year 2025”; and

15 (2) by striking “fiscal year 2013” and inserting
16 “fiscal year 2024”.

17 **SEC. 4. EXTENSION OF AUTHORITY FOR VETERANS’ ADVI-**
18 **SORY COMMITTEE ON EDUCATION.**

19 Section 3692(c) of such title is amended by striking
20 “December 31, 2016” and inserting “December 31,
21 2021”.

22 **SEC. 5. TRAINING FOR SCHOOL CERTIFYING OFFICIALS.**

23 (a) TRAINING REQUIREMENT.—The Secretary of
24 Veterans Affairs shall, in consultation with the State ap-
25 proving agencies, set forth requirements relating to train-
26 ing for school certifying officials employed by covered edu-

1 cational institutions offering courses of education ap-
 2 proved under chapter 36 of title 38, United States Code.
 3 If a covered educational institution does not ensure that
 4 a school certifying official employed by the educational in-
 5 stitution meets such requirements, the Secretary may dis-
 6 approve any course of education offered by such edu-
 7 cational institution.

8 (b) DEFINITIONS.—In this section:

9 (1) The term “covered educational institution”
 10 means an educational institution that has enrolled
 11 20 or more individuals using educational assistance
 12 under title 38, United States Code.

13 (2) The term “school certifying official” means
 14 an employee of an educational institution with pri-
 15 mary responsibility for certifying veteran enrollment
 16 at the educational institution.

17 (3) The term “State approving agency” means
 18 a department or agency of a State designated under
 19 section 3671 of title 38, United States Code.

20 **SEC. 6. REDUCTION OF AMOUNT OF HOUSING STIPEND**
 21 **PAYMENTS FOR REDUCTION OF COURSE**
 22 **HOURS.**

23 (a) IN GENERAL.—Subsection (i) of section 3313 of
 24 title 38, United States Code, is amended to read as fol-
 25 lows:

1 “(i) DETERMINATION OF HOUSING STIPEND PAY-
2 MENTS.—

3 “(1) IN GENERAL.—Any monthly housing sti-
4 pend payable under this section during the academic
5 year beginning on August 1 of a calendar year shall
6 be determined utilizing rates for basic allowances for
7 housing payable under section 403 of title 37 in ef-
8 fect as of January 1 of such calendar year.

9 “(2) REDUCTION IN CASES OF DROPPED CLASS-
10 ES.—In the case of any individual who receives a
11 monthly housing stipend payable under this section
12 who reduces the number of course hours borne by
13 the individual after the beginning of an academic pe-
14 riod, the Secretary shall reduce the amount of the
15 monthly housing stipend payable to the individual
16 accordingly on a pro rata basis. If the Secretary de-
17 termines that an individual received a monthly hous-
18 ing stipend at the beginning of a month and that the
19 individual reduced the number of course hours borne
20 by the individual such that the individual was not
21 entitled to the full amount of the payment received
22 for that month, the Secretary may reduce the
23 amount payable to the individual for the subsequent
24 month by an amount equal to the amount of the
25 overpayment.”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) shall apply with respect to a month that
3 begins on or after August 1, 2017.

4 **SEC. 7. LIMITATION ON USE OF REPORTING FEES PAYABLE**
5 **TO EDUCATIONAL INSTITUTIONS AND JOINT**
6 **APPRENTICESHIP TRAINING COMMITTEES.**

7 Section 3684(c) of title 38, United States Code, is
8 amended to read as follows:

9 “(c)(1) The Secretary may pay to any educational in-
10 stitution, or to the sponsor of a program of apprenticeship,
11 furnishing education or training under either this chapter
12 or chapter 31, 34, or 35 of this title, a reporting fee which
13 will be in lieu of any other compensation or reimbursement
14 for reports or certifications which such educational institu-
15 tion or joint apprenticeship training committee is required
16 to submit to the Secretary by law or regulation.

17 “(2) Such reporting fee shall be computed for each
18 calendar year by multiplying \$12 by the number of eligible
19 veterans or eligible persons enrolled under this chapter or
20 chapter 31, 34, or 35 of this title, or \$15 in the case of
21 those eligible veterans and eligible persons whose edu-
22 cational assistance checks are directed in care of each in-
23 stitution for temporary custody and delivery and are deliv-
24 ered at the time of registration as provided under section
25 3680(d)(4) of this title, during the calendar year. The re-

1 reporting fee shall be paid to such educational institution
2 or joint apprenticeship training committee as soon as fea-
3 sible after the end of the calendar year for which it is
4 applicable.

5 “(3) No reporting fee payable to an educational insti-
6 tution under this subsection shall be subject to offset by
7 the Secretary against any liability of such institution for
8 any overpayment for which such institution may be admin-
9 istratively determined to be liable under section 3685 of
10 this title unless such liability is not contested by such in-
11 stitution or has been upheld by a final decree of a court
12 of appropriate jurisdiction.

13 “(4) Any reporting fee paid to an educational institu-
14 tion or joint apprenticeship training committee after the
15 date of the enactment of the Post-9/11 Veterans Edu-
16 cational Assistance Improvements Act of 2011 (Public
17 Law 111–377)—

18 “(A) shall be utilized by such institution or
19 committee solely for the making of certifications re-
20 quired under this chapter or chapter 31, 34, or 35
21 of this title or for otherwise supporting programs for
22 veterans; and

23 “(B) with respect to an institution that has 75
24 or more enrollees described in paragraph (2), may
25 not be used for or merged with amounts available

1 for the general fund of the educational institution or
2 joint apprenticeship training committee.

3 “(5) The reporting fee payable under this subsection
4 shall be paid from amounts appropriated for readjustment
5 benefits.”.

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