

115TH CONGRESS
2D SESSION

S. 3130

To amend title 38, United States Code, to provide for the disapproval of any course of education for purposes of the educational assistance programs of the Department of Veterans Affairs unless the educational institution providing the course permits individuals to attend or participate in courses pending payment by Department, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 25, 2018

Ms. WARREN (for herself, Mr. BOOZMAN, and Mr. TESTER) 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 provide for the disapproval of any course of education for purposes of the educational assistance programs of the Department of Veterans Affairs unless the educational institution providing the course permits individuals to attend or participate in courses pending payment by Department, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Servicemembers Im-
3 proved Transition through Reforms for Ensuring Progress
4 Act of 2018” or the “SIT–REP Act of 2018”.

5 **SEC. 2. DISAPPROVAL FOR PURPOSES OF EDUCATIONAL**
6 **ASSISTANCE PROGRAMS OF DEPARTMENT OF**
7 **VETERANS AFFAIRS OF CERTAIN COURSES**
8 **OF EDUCATION THAT DO NOT PERMIT INDIV-**
9 **IDUALS TO ATTEND OR PARTICIPATE IN**
10 **COURSES PENDING PAYMENT.**

11 (a) IN GENERAL.—Section 3679 of title 38, United
12 States Code, is amended by adding at the end the fol-
13 lowing new subsection:

14 “(e)(1) Notwithstanding any other provision of this
15 chapter, beginning on August 1, 2018, a State approving
16 agency, or the Secretary when acting in the role of the
17 State approving agency, shall disapprove a course of edu-
18 cation provided by an educational institution that has in
19 effect a policy that is inconsistent with any of the fol-
20 lowing:

21 “(A) A policy that permits any covered indi-
22 vidual to attend or participate in the course of edu-
23 cation during the period beginning on the date on
24 which the individual provides to the educational in-
25 stitution a certificate of eligibility for entitlement to
26 educational assistance under chapter 31 or 33 of

1 this title and ending on the earlier of the following
2 dates:

3 “(i) The date on which the Secretary pro-
4 vides payment for such course of education to
5 such institution.

6 “(ii) The date that is 90 days after the
7 date on which the educational institution cer-
8 tifies for tuition and fees following receipt from
9 the student such certificate of eligibility.

10 “(B) A policy that ensures that the educational
11 institution will not impose any penalty, including the
12 assessment of late fees, the denial of access to class-
13 es, libraries, or other institutional facilities, or the
14 requirement that a covered individual borrow addi-
15 tional funds, on any covered individual because of
16 the individual’s inability to meet his or her financial
17 obligations to the institution due to the delayed dis-
18 bursement of a payment to be provided by the Sec-
19 retary under chapter 31 or 33 of this title.

20 “(2) For purposes of this subsection, a covered indi-
21 vidual is any individual who is entitled to educational as-
22 sistance under chapter 31 or 33 of this title.

23 “(3) The Secretary may waive such requirements of
24 paragraph (1) as the Secretary considers appropriate.”.

25 (b) PROMPT PAYMENTS.—

1 (1) IN GENERAL.—The Secretary of Veterans
2 Affairs shall take such actions as may be necessary
3 to ensure that the Secretary makes a payment to an
4 educational institution on behalf of an individual,
5 who is entitled to educational assistance under chap-
6 ter 31 or 33 of title 38, United States Code, and
7 who is using such assistance to pursue a program of
8 education at the educational institution, not later
9 than 60 days after the date on which the educational
10 institution certifies to the Secretary the applicable
11 tuition and fees for the individual.

12 (2) SEMIANNUAL REPORTS.—Not later than
13 May 1 and October 1 of each year, the Secretary
14 shall submit to the Committee on Veterans' Affairs
15 of the Senate and the Committee on Veterans' Af-
16 fairs of the House of Representatives a semiannual
17 report summarizing any cases in which the Secretary
18 failed to make a payment described in paragraph (1)
19 within the period set forth in such paragraph and an
20 explanation for each delayed disbursement of pay-
21 ment.

22 (c) RULE OF CONSTRUCTION.—In a case in which an
23 individual is unable to meet his or her financial obligation
24 to an educational institution due to the delayed disburse-
25 ment of a payment to be provided by the Secretary under

1 chapter 31 or 33 of such title and the amount of such
2 disbursement is less than anticipated, nothing in section
3 3679(e) of such title, as added by subsection (a), shall be
4 construed to prohibit an educational institution from re-
5 quiring additional payment or imposing a fee for the
6 amount that is the difference between the amount of the
7 financial obligation and the amount of the disbursement.

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