

□ 1605

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. FRANKEL) at 4 o'clock and 5 minutes p.m.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Miss Kaitlyn Roberts, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

PROTECT THE GI BILL ACT

Mr. TAKANO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4625) to amend title 38, United States Code, to require that educational institutions abide by certain principles as a condition of approval for purposes of the educational assistance programs of the Department of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4625

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Protect the GI Bill Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Clarification of educational assistance for individuals who pursue an approved program of education leading to a degree while on active duty.
- Sec. 3. Verification of enrollment for purposes of receipt of Post-9/11 Educational Assistance benefits.
- Sec. 4. Clarification regarding the dependents to whom entitlement to educational assistance may be transferred under the Post 9/11 Educational Assistance Program.
- Sec. 5. Expansion of reasons for which a course of education may be disapproved.
- Sec. 6. Oversight of educational institutions subject to Government action for purposes of the educational assistance programs of the Department of Veterans Affairs.
- Sec. 7. Additional requirement for approval of educational institutions for purposes of the educational assistance programs of the Department of Veterans Affairs.

Sec. 8. Clarification of accreditation for law schools for purposes of the educational assistance programs of the Department of Veterans Affairs.

Sec. 9. Clarification of grounds for disapproval of a course for purposes of the educational assistance programs of the Department of Veterans Affairs.

Sec. 10. Requirements for educational institutions participating in the educational assistance programs of the Department of Veterans Affairs.

Sec. 11. Overpayments to eligible persons or veterans.

Sec. 12. Improvements to limitation on certain advertising, sales, and enrollment practices.

Sec. 13. Additional limitation on certain advertising, sales, and enrollment practices of educational institutions.

Sec. 14. Charge to entitlement to educational assistance for individuals who do not transfer credits from certain closed or disapproved programs of education.

SEC. 2. CLARIFICATION OF EDUCATIONAL ASSISTANCE FOR INDIVIDUALS WHO PURSUE AN APPROVED PROGRAM OF EDUCATION LEADING TO A DEGREE WHILE ON ACTIVE DUTY.

Section 3313(e) of title 38, United States Code, is amended—

(1) in the heading, by inserting “FOR A PERIOD OF MORE THAN 30 DAYS” after “ACTIVE DUTY”;

(2) in paragraph (1), by inserting “for a period of more than 30 days” after “active duty”; and

(3) in paragraph (2), in the matter preceding subparagraph (A), by inserting “for a period of more than 30 days” after “active duty”.

SEC. 3. VERIFICATION OF ENROLLMENT FOR PURPOSES OF RECEIPT OF POST-9/11 EDUCATIONAL ASSISTANCE BENEFITS.

(a) IN GENERAL.—Section 3313 of title 38, United States Code, as amended by section 2, is further amended by adding at the end the following new subsection:

“(1) VERIFICATION OF ENROLLMENT.—(1) The Secretary shall require—

“(A) each educational institution to submit to the Secretary verification of each individual who is enrolled in a course or program of education at the educational institution and is receiving educational assistance under this chapter for each month during which the individual is so enrolled and receiving such educational assistance; and

“(B) each individual who is enrolled in a course or program of education and is receiving educational assistance under this chapter to submit to the Secretary verification of such enrollment for each month during which the individual is so enrolled and receiving such educational assistance.

“(2) Verification under this subsection shall be in an electronic form prescribed by the Secretary.

“(3) If an individual fails to submit the verification required under paragraph (1)(B) for two consecutive months, the Secretary may not make a monthly stipend payment to the individual under this section until the individual submits such verification.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on August 1, 2020.

SEC. 4. CLARIFICATION REGARDING THE DEPENDENTS TO WHOM ENTITLEMENT TO EDUCATIONAL ASSISTANCE MAY BE TRANSFERRED UNDER THE POST 9/11 EDUCATIONAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—Section 3319(c) of title 38, United States Code, is amended to read as follows:

“(c) ELIGIBLE DEPENDENTS.—

“(1) TRANSFER.—An individual approved to transfer an entitlement to educational assistance under this section may transfer the individual's entitlement to an eligible dependent or a combination of eligible dependents.

“(2) DEFINITION OF ELIGIBLE DEPENDENT.—For purposes of this subsection, the term ‘eligible dependent’ has the meaning given the term ‘dependent’ under paragraph (2) of section 1072 of title 10.”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to educational assistance payable under chapter 33 of title 38, United States Code, before, on, or after the date of the enactment of this Act.

SEC. 5. EXPANSION OF REASONS FOR WHICH A COURSE OF EDUCATION MAY BE DISAPPROVED.

(a) IN GENERAL.—Section 3672(b)(2) of title 38, United States Code, is amended—

(1) in subparagraph (A)(i), by inserting or “or (D)” after “subparagraph (C)”; and

(2) by adding at the end the following new subparagraph:

“(D) A program that is described in subparagraph (A)(i) of this paragraph and offered by an educational institution that is at risk of losing accreditation shall not be deemed to be approved for purposes of this chapter. For purposes of this subparagraph, an educational institution is at risk of losing accreditation if that educational institution has received from the relevant accrediting agency or association a notice described in section 3673(e)(2)(D) of this title.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act.

SEC. 6. OVERSIGHT OF EDUCATIONAL INSTITUTIONS SUBJECT TO GOVERNMENT ACTION FOR PURPOSES OF THE EDUCATIONAL ASSISTANCE PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 3673 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(e) NOTICE OF GOVERNMENT ACTION.—(1)(A)

If the Secretary receives notice under paragraph (2), or otherwise becomes aware of an action or event described in paragraph (3), with respect to an educational institution, the Secretary shall transmit such notice or provide notice of such action or event to the State approving agency for the State where the educational institution is located by not later than 30 days after the date on which the Secretary receives such notice or becomes aware of such action or event. A State approving agency shall perform a risk-based oversight survey to the educational institution by not later than 60 days after receiving notice under this subparagraph.

“(B) If a State approving agency receives notice as described in paragraph (2), or otherwise becomes aware of an action or event described in paragraph (3), with respect to an educational institution, the State approving agency shall perform a risk-based oversight survey to the educational institution by not later than 60 days after receiving such notice or otherwise becoming aware of such action or event.

“(2) Notice under this paragraph is any of the following:

“(A) Notice from the Secretary of Education of an event under paragraph (3)(A).

“(B) Notice of an event under paragraph (3)(B).

“(C) Notice from a State of an action taken by that State under paragraph (3)(C).

“(D) Notice provided by an accrediting agency or association of an action described in paragraph (3)(D) taken by that agency or association.

“(E) Notice that the Secretary of Education has placed the educational institution on provisional status.

“(3) An action or event under this paragraph is any of the following:

“(A) The receipt by an educational institution of payments under the heightened cash monitoring payment method pursuant to section 487(c)(1)(B) of the Higher Education Act of 1965 (20 U.S.C. 1094).

“(B) Final punitive action taken by the Attorney General, the Federal Trade Commission, or any other Federal department or agency against an educational institution relating to misconduct or misleading marketing practices, as defined by the Secretary of Veterans Affairs.

“(C) Final punitive action taken by a State against an educational institution.

“(D) The loss, or risk of loss, by an educational institution of an accreditation from an accrediting agency or association, including notice of probation, suspension, an order to show cause, or revocation of accreditation.

“(E) The placement of an educational institution on provisional status by the Secretary of Education.

“(4) If a State approving agency disapproves or suspends an educational institution, the State approving agency shall provide notice of such disapproval or suspension to the Secretary and to the other State approving agencies.

“(5) This subsection shall be carried out using amounts made available pursuant to section 3674(a)(4) of this title as long as such amounts remain available.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on August 1, 2020.

SEC. 7. ADDITIONAL REQUIREMENT FOR APPROVAL OF EDUCATIONAL INSTITUTIONS FOR PURPOSES OF THE EDUCATIONAL ASSISTANCE PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 3675 of title 38, United States Code, is amended—

(1) in subsection (b), by adding at the end the following new paragraph:

“(4) The educational institution is approved and participates in a program under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or the Secretary has waived the requirement under this paragraph with respect to an educational institution and submits to the Committees on Veterans' Affairs of the Senate and House of Representatives notice of such waiver.”

(2) by adding at the end the following new subsection:

“(d) The Secretary shall submit to Congress an annual report on any waivers issued pursuant to subsection (b)(4) or section 3672(b)(2)(A)(i) of this title. Each such report shall include, for the year covered by the report—

“(1) the name of each educational institution for which a waiver was issued;

“(2) the justification for each such waiver; and

“(3) the total number of waivers issued.”

(b) REQUIREMENT FOR APPROVAL OF STANDARD COLLEGE DEGREE PROGRAMS.—Clause (1) of subparagraph (A) of paragraph (2) of subsection (b) of section 3672 of such title is amended to read as follows:

“(i) Except as provided in subparagraph (C) or (D), an accredited standard college degree

program offered at a public or not-for-profit proprietary educational institution that—

“(I) is accredited by an agency or association recognized for that purpose by the Secretary of Education; and

“(II) is approved and participates in a program under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), unless the Secretary has waived the requirement to participate in a program under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).”

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on August 1, 2020.

SEC. 8. CLARIFICATION OF ACCREDITATION FOR LAW SCHOOLS FOR PURPOSES OF THE EDUCATIONAL ASSISTANCE PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Paragraphs (14)(B) and (15)(B) of section 3676(c) of title 38, United States Code, are each amended by striking “an accrediting agency” both places it appears and inserting “a specialized accrediting agency”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on August 1, 2020.

SEC. 9. CLARIFICATION OF GROUNDS FOR DISAPPROVAL OF A COURSE FOR PURPOSES OF THE EDUCATIONAL ASSISTANCE PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 3679(a)(1) of title 38, United States Code, is amended by inserting “(including failure to comply with a risk-based survey under section 3673(d) of this title and secure an affirmation of approval by the appropriate State approving agency following the survey)” after “requirements of this chapter”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on August 1, 2020.

SEC. 10. REQUIREMENTS FOR EDUCATIONAL INSTITUTIONS PARTICIPATING IN THE EDUCATIONAL ASSISTANCE PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 3679 of title 38, United States Code, as amended by section 6, is further amended by adding at the end the following new subsection:

“(f)(1) Except as provided by paragraph (5), a State approving agency, or the Secretary when acting in the role of the State approving agency, may take an action described in paragraph (4)(A) if the State approving agency or the Secretary determines that an educational institution does not perform any of the following:

“(A) Prior to the enrollment of a covered individual in a course of education at the educational institution, provide the individual with a form that contains information personalized to the individual that describes—

“(i) the estimated total cost of the course, including tuition, fees, books, supplies, and any other additional costs;

“(ii) an estimate of the cost for living expenses for students enrolled in the course;

“(iii) the amount of the costs under clauses (i) and (ii) that are covered by the educational assistance provided to the individual under chapter 30, 32, 33, or 35 of this title, or chapter 1606 or 1607 of title 10, as the case may be;

“(iv) the type and amount of Federal financial aid not administered by the Secretary and financial aid offered by the institution that the individual may qualify to receive;

“(v) an estimate of the amount of student loan debt the individual would have upon graduation;

“(vi) information regarding graduation rates;

“(vii) job-placement rates for graduates of the course, if available;

“(viii) information regarding the acceptance by the institution of transfer of credits, including military credits;

“(ix) any conditions or additional requirements, including training, experience, or examinations, required to obtain the license, certification, or approval for which the course of education is designed to provide preparation; and

“(x) other information to facilitate comparison by the individual of aid packages offered by different educational institutions.

“(B) Not later than 15 days after the date on which the institution (or the governing body of the institution) determines tuition rates and fees for an academic year that is different than the amount being charged by the institution, provide a covered individual enrolled in a course of education at the educational institution with the form under subparagraph (A) that contains updated information.

“(C) Maintain policies to—

“(i) inform each covered individual enrolled in a course of education at the educational institution of the availability of Federal financial aid not administered by the Secretary and financial aid offered by the institution; and

“(ii) alert such individual of the potential eligibility of the individual for such financial aid before packaging or arranging student loans or alternative financing programs for the individual.

“(D) Maintain policies to—

“(i) prohibit the automatic renewal of a covered individual in courses and programs of education; and

“(ii) ensure that each covered individual approves of the enrollment of the individual in a course.

“(E) Provide to a covered individual enrolled in a course of education at the educational institution with information regarding the requirements to graduate from such course, including information regarding when required classes will be offered and a timeline to graduate.

“(F) With respect to an accredited educational institution, obtain the approval of the accrediting agency for each new course or program of the institution before enrolling covered individuals in such courses or programs if the accrediting agency determines that such approval is appropriate under the substantive change requirements of the accrediting agency regarding the quality, objectives, scope, or control of the institution.

“(G) Maintain a policy that—

“(i) ensures that members of the Armed Forces, including the reserve components and the National Guard, who enroll in a course of education at the educational institution may be readmitted at such institution if such members are temporarily unavailable or have to suspend such enrollment by reason of serving in the Armed Forces; and

“(ii) otherwise accommodates such members during short absences by reason of such service.

“(H) Designate an employee of the educational institution to serve as a point of contact for covered individuals and the family of such individuals needing assistance with respect to academic counseling, financial counseling, disability counseling, and other information regarding completing a course of education at such institution, including by referring such individuals and family to the appropriate persons for such counseling and information.

“(2) Except as provided by paragraph (5), a State approving agency, or the Secretary when acting in the role of the State approving agency, may take an action described in

paragraph (4)(A) if the State approving agency, the Secretary, or the Federal Trade Commission, determines that an educational institution does any of the following:

“(A) Carries out deceptive or persistent recruiting techniques, including on military installations, that may include—

“(i) misrepresentation (as defined in section 3696(e)(2)(B) of this title) or payment of incentive compensation;

“(ii) during any one-month period making three or more unsolicited contacts to a covered individual, including contacts by phone, email, or in-person; or

“(iii) engaging in same-day recruitment and registration.

“(B) Pays inducements, including any gratuity, favor, discount, entertainment, hospitality, loan, transportation, lodging, meals, or other item having a monetary value of more than a de minimis amount, to any individual or entity, or its agents including third party lead generators or marketing firms other than salaries paid to employees or fees paid to contractors in conformity with all applicable laws for the purpose of securing enrollments of covered individuals or obtaining access to educational assistance under this title, with the exception of scholarships, grants, and tuition reductions provided by the educational institution.

“(3) A State approving agency, or the Secretary when acting in the role of the State approving agency, may take an action described in paragraph (4)(A) if the State approving agency or the Secretary determines that an educational institution is the subject of a negative action made by the accrediting agency that accredits the institution, including any of the following:

“(A) A show cause order.

“(B) Accreditor sanctions.

“(C) Accreditation probation.

“(D) The loss of accreditation or candidacy for accreditation.

“(4)(A) An action described in this subparagraph is any of the following:

“(i) Publishing a warning on the internet website of the Department described in section 3698(c)(2) of this title, or such other similar internet website of the Department, that describes how an educational institution is failing to meet a requirement under paragraph (1) or (2).

“(ii) Prohibiting the pursuit by an individual of a course of education at an educational institution under chapter 30, 32, 33, or 35 of this title during the period beginning on the date of such prohibition and ending on a date specified by the State approving agency, in consultation with the Secretary, or the Secretary when acting in the role of the State approving agency, unless the individual was enrolled at the institution before such period.

“(B) The Secretary shall establish guidelines to ensure that the actions described in subparagraph (A) are applied in a proportional and uniform manner by State approving agencies, or the Secretary when acting in the role of the State approving agency.

“(5)(A) The Secretary may waive the requirements of paragraph (1) or waive the requirements of paragraph (2) with respect to an educational institution for a one-academic-year period beginning in August of the year in which the waiver is made. A single educational institution may not receive waivers under this paragraph for more than two consecutive academic years.

“(B) To be considered for a waiver under this paragraph, an educational institution shall submit to the Secretary an application prior to the first day of the academic year for which the waiver is sought.

“(6) On an annual basis, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate the following reports:

“(A) A report, which shall be made publicly available, that includes the following:

“(i) A summary of each action described in paragraph (4)(A) made during the year covered by the report, including—

“(I) the name of the educational institution;

“(II) the type of action taken;

“(III) the rationale for the action, including how the educational institution was not in compliance with this subsection;

“(IV) the length of time that the educational institution was not in such compliance; and

“(V) whether the educational institution was also not in compliance with this subsection during any of the two years prior to the year covered by the report.

“(ii) A summary and justifications for the waivers made under paragraph (5) during the year covered by the report, including the total number of waivers each educational institution has received.

“(B) A report containing the recommendations of the Secretary with respect to any legislative actions the Secretary determines appropriate to ensure that this subsection is carried out in a manner that is consistent with the requirements that educational institutions must meet for purposes of other departments or agencies of the Federal Government.

“(7) In this subsection, the term ‘covered individual’ means an individual who is pursuing a course of education at an educational institution under chapter 30, 32, 33, or 35 of this title.”

(b) **APPLICATION DATE.**—The amendment made by this section shall take effect on June 15, 2020, and shall apply to an educational institution beginning on August 1, 2020, except that an educational institution may submit an application for a waiver under subsection (f)(5) of section 3679 of title 38, United States Code, as added by subsection (a), beginning on June 15, 2020.

SEC. 11. OVERPAYMENTS TO ELIGIBLE PERSONS OR VETERANS.

Subsection (b) of section 3685 of title 38, United States Code, is amended to read as follows:

“(b) Any overpayment by an educational institution to a veteran or eligible person shall constitute a liability of the educational institution to the United States if—

“(1) the Secretary finds that the overpayment has been made as the result of—

“(A) the willful or negligent failure of an educational institution to report, as required under this chapter or chapter 34 or 35 of this title, to the Department of Veterans Affairs excessive absences from a course, or discontinuance or interruption of a course by the veteran or eligible person; or

“(B) the willful or negligent false certification by an educational institution; or

“(2) the payment is made pursuant to—

“(A) section 3313(h) of this title;

“(B) section 3317 of this title; or

“(C) section 3680(d) of this title.”

SEC. 12. IMPROVEMENTS TO LIMITATION ON CERTAIN ADVERTISING, SALES, AND ENROLLMENT PRACTICES.

(a) **SUBSTANTIAL MISREPRESENTATION.**—

(1) **IN GENERAL.**—Subsection (a) of section 3696 of title 38, United States Code, is amended to read as follows:

“(a) The Secretary, or a State approving agency acting in the role of the Secretary, shall not approve the enrollment of an eligible veteran or eligible person in any course offered by an institution, or by an entity that owns the institution, engaged in substantial misrepresentation described in subsection (e)(1).”

(2) **DEFINITIONS.**—Such section is further amended by adding at the end the following new subsection:

“(e)(1) Substantial misrepresentation described in this paragraph is substantial misrepresentation by an educational institution, a representative of the institution, or any person with whom the institution has an agreement to provide educational programs, marketing, advertising, recruiting or admissions services, concerning any of the following:

“(A) The nature of the educational program of the institution, including misrepresentation regarding—

“(i) the particular type, specific source, or nature and extent, of the accreditation of the institution or a course of education at the institution;

“(ii) whether a student may transfer course credits to another institution;

“(iii) conditions under which the institution will accept transfer credits earned at another institution;

“(iv) whether successful completion of a course of instruction qualifies a student—

“(I) for acceptance to a labor union or similar organization; or

“(II) to receive, to apply to take, or to take an examination required to receive a local, State, or Federal license, or a non-governmental certification required as a precondition for employment, or to perform certain functions in the States in which the educational program is offered, or to meet additional conditions that the institution knows or reasonably should know are generally needed to secure employment in a recognized occupation for which the program is represented to prepare students;

“(v) the requirements for successfully completing the course of study or program and the circumstances that would constitute grounds for terminating the student's enrollment;

“(vi) whether the courses of education at the institution are recommended or have been the subject of unsolicited testimonials or endorsements by—

“(I) vocational counselors, high schools, colleges, educational organizations, employment agencies, members of a particular industry, students, former students, or others; or

“(II) officials of a local or State government or the Federal Government;

“(vii) the size, location, facilities, or equipment of the institution;

“(viii) the availability, frequency, and appropriateness of the courses of education and programs to the employment objectives that the institution states the courses and programs are designed to meet;

“(ix) the nature, age, and availability of the training devices or equipment of the institution and the appropriateness to the employment objectives that the institution states the courses and programs are designed to meet;

“(x) the number, availability, and qualifications, including the training and experience, of the faculty and other personnel of the institution;

“(xi) the availability of part-time employment or other forms of financial assistance;

“(xii) the nature and availability of any tutorial or specialized instruction, guidance and counseling, or other supplementary assistance the institution ill provide students before, during, or after the completion of a course of education;

“(xiii) the nature or extent of any prerequisites established for enrollment in any course of education;

“(xiv) the subject matter, content of the course of education, or any other fact related to the degree, diploma, certificate of completion, or any similar document that the student is to be, or is, awarded upon completion of the course of education; and

“(xv) whether the degree that the institution will confer upon completion of the course of education has been authorized by the appropriate State educational agency, including with respect to cases where the institution fails to disclose facts regarding the lack of such authorization in any advertising or promotional materials that reference such degree.

“(B) The financial charges of the institution, including misrepresentation regarding—

“(i) offers of scholarships to pay all or part of a course charge;

“(ii) whether a particular charge is the customary charge at the institution for a course;

“(iii) the cost of the program and the refund policy of the institution if the student does not complete the program;

“(iv) the availability or nature of any financial assistance offered to students, including a student’s responsibility to repay any loans, regardless of whether the student is successful in completing the program and obtaining employment; and

“(v) the student’s right to reject any particular type of financial aid or other assistance, or whether the student must apply for a particular type of financial aid, such as financing offered by the institution.

“(C) The employability of the graduates of the institution, including misrepresentation regarding—

“(i) the relationship of the institution with any organization, employment agency, or other agency providing authorized training leading directly to employment;

“(ii) the plans of the institution to maintain a placement service for graduates or otherwise assist graduates to obtain employment;

“(iii) the knowledge of the institution about the current or likely future conditions, compensation, or employment opportunities in the industry or occupation for which the students are being prepared;

“(iv) job market statistics maintained by the Federal Government in relation to the potential placement of the graduates of the institution; and

“(v) other requirements that are generally needed to be employed in the fields for which the training is provided, such as requirements related to commercial driving licenses or permits to carry firearms, and failing to disclose factors that would prevent an applicant from qualifying for such requirements, such as prior criminal records or preexisting medical conditions.

“(2) In this subsection:

“(A) The term ‘misleading statement’ includes any communication, action, omission, or intimation made in writing, visually, orally, or through other means, that has the likelihood or tendency to mislead the intended recipient of the communication under the circumstances in which the communication is made. Such term includes the use of student endorsements or testimonials for an educational institution that a student gives to the institution either under duress or because the institution required the student to make such an endorsement or testimonial to participate in a program of education.

“(B) The term ‘misrepresentation’ means any false, erroneous, or misleading statement, action, omission, or intimation made directly or indirectly to a student, a prospective student, the public, an accrediting agency, a State agency, or to the Secretary by an eligible institution, one of its representatives, or any person with whom the institution has an agreement to provide educational programs, marketing, advertising, recruiting or admissions services.

“(C) The term ‘substantial misrepresentation’ means misrepresentation in which the

person to whom it was made could reasonably be expected to rely, or has reasonably relied, to that person’s detriment.”.

(b) REFERRAL.—Subsection (c) of such section is amended by striking the last sentence and inserting the following: “The findings and results of any such investigations shall be referred to the State approving agency, or the Secretary when acting in the role of the State approving agency, who shall take appropriate action in such cases not later than 60 days after the date of such referral.”.

(c) REQUIREMENTS FOR NONACCREDITED COURSES.—Paragraph (10) of section 3676(c) of such title is amended to read as follows:

“(10) The institution, and any entity that owns the institution, does not engage in substantial misrepresentation described in section 3696(e) of this title. The institution shall not be deemed to have met this requirement until the State approving agency—

“(A) has ascertained that no Federal department or agency has taken a punitive action, not including a settlement agreement, against the school for misleading or deceptive practices;

“(B) has, if such an order has been issued, given due weight to that fact; and

“(C) has reviewed the complete record of advertising, sales, or enrollment materials (and copies thereof) used by or on behalf of the institution during the preceding 12-month period.”.

(d) APPLICATION DATE.—The amendments made by this section shall apply to an educational institution beginning on August 1 2020.

SEC. 13. ADDITIONAL LIMITATION ON CERTAIN ADVERTISING, SALES, AND ENROLLMENT PRACTICES OF EDUCATIONAL INSTITUTIONS.

(a) IN GENERAL.—Section 3696(a) of title 38, United States Code, as amended by section 11, is further amended—

(1) by inserting “(1)” before “The Secretary”; and

(2) by adding at the end the following new paragraph:

“(2) Not later than 120 days after a State or Federal department or agency takes final punitive action against an educational institution relating to practices described in paragraph (1), the Secretary or the relevant State approving agency may—

“(A) take an action described in subsection (f)(4)(A) of section 3679 of this title; or

“(B) disapprove under such section each course offered by that educational institution.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on August 1, 2020.

SEC. 14. CHARGE TO ENTITLEMENT TO EDUCATIONAL ASSISTANCE FOR INDIVIDUALS WHO DO NOT TRANSFER CREDITS FROM CERTAIN CLOSED OR DISAPPROVED PROGRAMS OF EDUCATION.

(a) IN GENERAL.—Subsection (c) of section 3699 of title 38, United States Code, is amended to read as follows:

“(c) PERIOD NOT CHARGED.—(1) The period for which, by reason of this subsection, educational assistance is not charged against entitlement or counted toward the applicable aggregate period under section 3695 of this title shall not exceed the aggregate of—

“(A) the portion of the period of enrollment in the course from which the individual did not receive credit or with respect to which the individual lost training time, as determined under subsection (b)(2); and

“(B) the period by which a monthly stipend is extended under section 3680(a)(2)(B) of this title.

“(2)(A) An individual described in subparagraph (B) who transfers fewer than 12 credits from a program of education that is closed or

disapproved as described in subsection (b)(1) shall be deemed to be an individual who did not receive such credits, as described in subsection (b)(2), except that the period for which such individual’s entitlement is not charged shall be the entire period of the individual’s enrollment in the program of education. In carrying out this subparagraph, the Secretary, in consultation with the Secretary of Education, shall establish procedures to determine whether the individual transferred credits to a comparable course or program of education.

“(B) An individual described in this subparagraph is an individual who is enrolled in a course or program of education closed or discontinued as described in subsection (b)(1) during the period beginning on the date that is 120 days before the date of such closure or discontinuance and ending on the date of such closure or discontinuance, as the case may be.

“(C) This paragraph shall apply with respect to a course or program of education closed or discontinued before September 30, 2023.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on August 1, 2020.

SEC. 15. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Tennessee (Mr. DAVID P. ROE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. TAKANO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 4625, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TAKANO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 4625, as amended, the Protect the GI Bill Act.

In 2009, before passage of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010—the Post-9/11 GI Bill—the Department of Veterans Affairs supplied educational benefits to over 14,000 veterans and paid schools over \$36 million in educational benefits.

Now, VA provides educational benefits to over 600,000 veterans and pays institutions of higher learning over \$11 billion to cover the tuition, fees, and books for veterans on an annual basis.

The increased educational benefits enacted through the Post-9/11 GI Bill and the Harry W. Colmery Forever GI Bill of 2017 have made pursuing an education a viable path for many veterans

across the country. Schools across this country have embraced the influx of students to their campuses with open arms; and, in return, veterans have brought their knowledge, expertise, and ideas into the classroom and, eventually, the workforce.

Since 2010, most institutions of higher learning have provided student veterans with a means to upward economic mobility through traditional education and vocational training.

However, a small number of predatory schools have sought to expand their coffers by targeting veterans for their educational benefits, providing subpar educations in return. Not only do veterans lose precious time and benefits from being misled by these malicious actors, but it also costs taxpayers millions of dollars each year, which is why we must pass the Protect the GI Bill Act today.

The Protect the GI Bill Act would hold all schools to standards set forth by the principles of excellence outlined in Executive Order No. 13607. By codifying the principles of excellence, we are ensuring that schools can no longer misrepresent their student outcomes, job placement rates, and graduation requirements when marketing to veterans and members of the military.

The Protect the GI Bill Act also ensures that schools are upfront and honest regarding the cost of attendance, scholarships available for veterans before they take loans, and whether additional training is needed after graduation to pass State-based licensure or certification tests. This will allow veterans to make informed choices about the schools they want to attend to start their new careers and ensure that institutions are more accountable to veterans.

This legislation also includes Congressman BILIRAKIS' Student Veteran Empowerment Act, Congresswoman SUSIE LEE's Forever GI Bill Class Evaluation Act, Congresswoman SUSAN DAVIS' Reserve and Guard GI Bill Housing Fairness Act, and Congressman FOSTER's GI Bill Education Fairness Act.

This bipartisan legislation empowers State approving agencies to conduct targeted, risk-based surveys; eliminates waste in the Post-9/11 GI Bill program; ensures that spouses of servicemembers in the Reserves and Guard are not penalized when servicemembers are called to duty; and clarifies that servicemembers can transfer their education benefits to stepchildren, foster and adopted children, and other minor dependents.

As amended, the Protect the GI Bill Act also protects veterans by stopping them from incurring debt from Post-9/11 GI Bill overpayments. According to a GAO report, in fiscal year 2014, the VA paid approximately \$10.8 billion in education assistance through the Post-9/11 GI Bill and made approximately \$416 million in overpayments to veterans in about 6,000 schools. Approximately one in four veterans received an overpayment in fiscal year 2014.

Now, saddling veterans with unexpected debt is an injustice that we cannot perpetuate. This bill delays payments to schools, mandates that veterans confirm their enrollment each month, and prohibits late payment charges to students who are receiving GI Bill benefits.

The Protect the GI Bill Act would also allow more veterans to restore their educational benefits in cases where schools they attend close, are disapproved by a State approving agency, or are discontinued for other reasons outside of their control.

Current law only allows veterans to restore their education benefits if they attend schools that close or are disapproved by State approving agencies and if these veterans do not transfer any credits to another school or institution.

This requires these veterans to restart their education to restore the benefits, which could erode their motivation and cost taxpayers more money. There is no reason that veterans should be forced to repeat basic classes or core credits in order to regain their educational benefits.

This bill allows veterans to restore their education benefits while transferring up to 12 credits to another school.

The expansion of eligibility in this bill is retroactive and will allow thousands of veterans to recover their educational benefits upon the enactment of this much needed bill.

Madam Speaker, if our goal as a legislative body is to improve veterans' economic opportunities and end veteran homelessness, we must empower veterans to develop new and marketable skill sets in community colleges, universities, and trade schools.

We must also be good fiduciaries of taxpayer funds by enacting rigorous standards and providing adequate oversight of institutions who seek to collect funds from veterans' educational benefits, which is why I support this bill.

This bill also has the support of the Student Veterans of America and Veterans Education Success.

I want to thank Representative LEVIN for his hard work on this excellent bill. I would also like to thank Representative BILIRAKIS, Representative LEE, Representative DAVIS, and Representative FOSTER for their contributions to this bill, and I urge my colleagues to support it.

Madam Speaker, I reserve the balance of my time.

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Mr. DAVID P. ROE of Tennessee. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 4625, as amended, the Protect the GI Bill Act.

Earlier this year, we celebrated the 75th anniversary of the original World War II GI Bill that helped launch the modern middle class. In the past 75 years, the GI Bill has helped millions

of transitioning servicemembers get the training and education they need to be successful and help grow our economy. I used the GI Bill myself when I got out of the military.

Part of our role on the Veterans' Affairs Committee is to protect the GI Bill's important legacy and ensure that the incredible benefit the GI Bill provides remains available for veterans for generations to come.

The Protect the GI Bill Act would advance that goal by putting important protections in place to help student veterans make the right choice when using their GI Bill benefits by helping regulators flag and, if necessary, remove bad schools and programs from being eligible for the GI Bill.

This bill would also double down on our support for student veterans whose school has closed before they finish their program by restoring their GI Bill entitlement if the student is unable to transfer their credits to another institution.

I thank my friend and fellow long-term committee member, Congressman GUS BILIRAKIS from Florida, for his hard work on this bill. Gus is the ranking member of the Subcommittee on Economic Opportunity, and this bill includes the text of his bill, H.R. 4085, the Student Veteran Empowerment Act, and builds off his work in the 113th Congress to create the GI Bill Comparison Tool.

I would also like to thank Student Veterans of America, Veterans of Foreign Wars, and, especially, Veterans Education Success for their help in crafting this legislation. Their expert advice and counsel are critical to ensuring that we preserve the legacy of the GI Bill for another 75 years and beyond.

Madam Speaker, I reserve the balance of my time.

Mr. TAKANO. Madam Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. FOSTER), my good friend.

Mr. FOSTER. Madam Speaker, I thank the gentleman for yielding.

I thank Chairman TAKANO, Ranking Member ROE, and members of the House Committee on Veterans' Affairs for their steadfast commitment to the men and women of our armed services and for their work on H.R. 4625, the Protect the GI Bill Act.

Included in this bill is legislation of mine that I have been working on with Representative MCMORRIS RODGERS for some years now to remedy the bureaucratic oversight affecting military families across the country.

Under current law, the Department of Defense includes wards and foster children in their definition of an "eligible child" who is authorized to receive their parents' unused GI education benefits. However, the Department of Veterans Affairs does not. Unfortunately, this misalignment has led to a nightmare for some members of the armed services and their families.

This issue first came to my attention when a constituent, Sergeant First

Class Angela Dees, and her son, Christopher, reached out to my office to share their story.

Regrettably, their story is not unique, and they are not alone. To date, nearly 100 wards and foster children were initially approved by the Department of Defense for the transfer of GI education benefits, and money was paid out to their schools. Then, midsemester, the Department of Veterans Affairs revoked their benefits. The students and their families were notified that they would have to repay tuition expenses.

These families now face unexpected and crippling debts. They aren't just stuck with bigger loan payments but with outstanding bills. In many cases, the students even had to drop out of school.

Children of the men and women who serve honorably should not be denied the benefits that they were promised because of bureaucratic oversight. These servicemen and -women have honored the promise that they made to serve our country, and we need to honor the promises we make to them.

This legislation would correct this discrepancy and prevent this situation from happening in the future. Doing so would allow foster children and wards like Christopher, who were approved for GI education benefits only to have them revoked, to receive the education funding that they were promised.

I urge my colleagues to join me and vote "yes" on this critical piece of legislation.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I yield 4 minutes to the gentleman from Florida (Mr. BILIRAKIS), my good friend, a tireless working member of the Veterans' Affairs Committee. I know of no one on our committee who works harder for veterans, whether it is on PTSD or the benefits they have earned, than GUS BILIRAKIS.

Mr. BILIRAKIS. Madam Speaker, I thank the ranking member and the chairman. I appreciate them working with us on this very good bill. Also, Chairman LEVIN, who is not here at the time, does an outstanding job, and I look forward to working with him on many more bills.

Madam Speaker, as Ranking Member ROE just mentioned, one of the most important jobs of the House Committee on Veterans' Affairs is defending and protecting programs like the GI Bill that continue to provide life-changing education and training benefits to our Nation's veterans and servicemembers. I am proud that provisions in H.R. 4625 will continue this goal and are a by-product of several bipartisan hearings that I have led with Chairman LEVIN to improve oversight of the GI Bill.

I am also pleased that this package includes all the provisions from my bill, H.R. 4085, the Student Veteran Empowerment Act. My bill is designed to limit overpayment of GI Bill funds to students and schools, improve oversight of the GI Bill program by VA and

State approving agencies, and, most importantly, extend the restoration of entitlement for student veterans impacted by school closures.

This last section extends benefits we originally provided to a limited number of students in the Forever GI Bill to all students. It extends to all students; that is important. It is critical to ensure that a student's entitlement is not lost when a school closes or is disapproved before the student completes their education.

My provisions in this bill would make important structural improvements regarding GI Bill oversight and accountability. These changes are important so that we can do all we can to prevent unnecessary school closures and ensure that a student's hard-earned benefits are used on training and education programs that will set up the veteran for long-term economic success.

Again, like Dr. ROE, I thank the veterans service organizations for their advice and suggestions, especially Veterans Education Success.

I also thank the bill's sponsor, as I said before, the chairman of the Economic Opportunity Subcommittee, my friend from California, MIKE LEVIN. It has been my distinct pleasure, as the ranking member, to work with him on this bill and on other issues that come before our subcommittee. He is a thoughtful legislator, and I thank him for including the provisions of my bill in this legislation before us.

I urge passage of this great bill, H.R. 4625.

Mr. TAKANO. Madam Speaker, I yield myself such time as I may consume.

Let me just say that this bill, the Protect the GI Bill Act, contains so many elements offered by both sides of the aisle. I have to point out, for the RECORD, the coincidence of having the interests of foster children being protected by a man named BILL FOSTER. There are not enough people in here to get that joke, but I thought that was worth pointing out.

The language in this bill also contains enhancements to the authorities of State approving agencies. One of the broken parts of how our schools, our for-profit schools or all schools, get approved, get their programs approved, is because our State approving agencies lack sufficient authority to intervene when they know that a certain for-profit operation that has had a shady history is about to open in their State. This legislation would allow a State approving agency to act before a bad-acting for-profit school is actually charged, formally charged.

Madam Speaker, I have no further speakers, and I am prepared to close. I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I have no further speakers, and I, too, am ready to close. I yield myself the balance of my time.

I do want to say that this bill is indicative of how, when we work to-

gether, we can solve problems. You heard various issues from both sides of the aisle that were brought to bear and worked in the subcommittee and committee to solve these problems for constituents all across the country.

Madam Speaker, I encourage all Members to support this bill, and I yield back the balance of my time.

Mr. TAKANO. Madam Speaker, I yield myself the balance of my time.

I urge all of my colleagues to join me in passing H.R. 4625, as amended. Indeed, both sides of the aisle worked carefully together, and I am pleased to recommend that we pass this bill on suspension. I yield back the balance of my time.

Mr. SABLAN. Madam Speaker, I rise in support of H.R. 4625, the Protect the GI Bill Act, which restores education benefits for veterans impacted by recent for-profit school closures and provides the VA additional tools to keep schools who violate the terms of their GI Bill funding accountable.

For the past 75 years, the VA estimates the GI Bill has helped more than 25 million veterans and their families nationwide including the Marianas achieve their educational and career goals.

In recent years however, closures of several for-profit schools have left many veterans with degrees and credits that are not recognized or transferable and facing serious hardships from diminished GI Bill funds that also help pay for housing and other living expenses.

The Protect the GI Bill Act would help the victims of school closures by reinstating lost benefits and barring schools who do not meet quality standards for receiving GI Bill funds. Under H.R. 4625, schools would also be required to inform veterans of the actual cost of attendance including how much their benefits cover, as well as graduation and job placement rates. The bill requires VA and State Approving Agencies to take swift action on schools in violation of GI Bill requirements including suspension of new enrollments as well as bans on deceptive practices like automatic re-enrollment without the veteran's permission.

Passage of H.R. 4625 is critical to preventing future victims of school closures and ensuring veterans and their eligible family members receive a quality education for their hard-earned GI Bill benefits.

I thank the gentleman from California, Mr. LEVIN, for his leadership on this legislation and urge my colleagues to support H.R. 4625.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 4625, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REDUCING HIGH RISK TO VETERANS AND VETERANS SERVICES ACT

Mr. TAKANO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4477) to direct the Secretary