

115TH CONGRESS
1ST SESSION

S. _____

To amend title 38, United States Code, to improve the administration of Post-9/11 Educational Assistance by the Department of Veterans Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. TILLIS (for himself and Mr. KAINE) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title 38, United States Code, to improve the administration of Post-9/11 Educational Assistance by the Department of Veterans Affairs, 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 Experience Improvement Act of 2017”.

6 **SEC. 2. TRAINING FOR SCHOOL CERTIFYING OFFICIALS.**

7 (a) TRAINING REQUIREMENT.—The Secretary of
8 Veterans Affairs shall, in consultation with the State ap-

1 proving agencies, set forth requirements relating to train-
2 ing for school certifying officials employed by covered edu-
3 cational institutions offering courses of education ap-
4 proved under chapter 36 of title 38, United States Code.

5 (b) DISAPPROVAL.—If a covered educational institu-
6 tion does not ensure that a school certifying official em-
7 ployed by the educational institution meets such require-
8 ments, the Secretary may disapprove any course of edu-
9 cation offered by such educational institution.

10 (c) DEFINITIONS.—In this section:

11 (1) COVERED EDUCATIONAL INSTITUTION.—
12 The term “covered educational institution” means
13 an educational institution that has enrolled 20 or
14 more individuals using educational assistance under
15 title 38, United States Code.

16 (2) SCHOOL CERTIFYING OFFICIAL.—The term
17 “school certifying official” means an employee of an
18 educational institution with primary responsibility
19 for certifying veteran enrollment at the educational
20 institution.

21 (3) STATE APPROVING AGENCY.—The term
22 “State approving agency” means a department or
23 agency of a State designated under section 3671 of
24 title 38, United States Code.

1 **SEC. 3. LIMITATION ON NUMBER OF CERTIFICATIONS**
2 **MADE BY SCHOOL CERTIFYING OFFICIALS.**

3 (a) IN GENERAL.—The Secretary of Veterans Affairs
4 shall, in consultation with the State approving agencies,
5 set forth requirements for covered educational institutions
6 offering courses of education approved under chapter 36
7 of title 38, United States Code, to employ one school certi-
8 fying official for every 500 unduplicated certifications
9 made during a fiscal year. If a covered educational institu-
10 tion does not ensure that enough school certifying officials
11 are employed by the educational institution to meets such
12 requirements, the Secretary may disapprove any course of
13 education offered by such educational institution.

14 (b) DEFINITIONS.—In this section:

15 (1) COVERED EDUCATIONAL INSTITUTION.—
16 The term “covered educational institution” means
17 an educational institution that has enrolled 20 or
18 more individuals using educational assistance under
19 title 38, United States Code.

20 (2) SCHOOL CERTIFYING OFFICIAL.—The term
21 “school certifying official” means an employee of an
22 educational institution with primary responsibility
23 for certifying veteran enrollment at the educational
24 institution.

25 (3) STATE APPROVING AGENCY.—The term
26 “State approving agency” means a department or

1 agency of a State designated under section 3671 of
2 title 38, United States Code.

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

6 (a) IN GENERAL.—Section 3684(c) of title 38,
7 United States Code, is amended to read as follows:

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

16 “(2) Such reporting fee shall be computed for each
17 calendar year by multiplying \$16 by the number of eligible
18 veterans or eligible persons enrolled under this chapter or
19 chapter 31, 34, or 35 of this title. The reporting fee shall
20 be paid to such educational institution or sponsor of a pro-
21 gram of apprenticeship as soon as feasible after the end
22 of the calendar year for which it is applicable.

23 “(3) No reporting fee payable to an educational insti-
24 tution under this subsection shall be subject to offset by
25 the Secretary against any liability of such institution for

1 any overpayment for which such institution may be admin-
2 istratively determined to be liable under section 3685 of
3 this title unless such liability is not contested by such in-
4 stitution or has been upheld by a final decree of a court
5 of appropriate jurisdiction.

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

11 “(A) shall be utilized by such institution or
12 committee solely for the making of certifications re-
13 quired under this chapter or chapter 31, 34, or 35
14 of this title or for otherwise supporting programs for
15 veterans; and

16 “(B) with respect to an institution that has 75
17 or more enrollees described in paragraph (2), may
18 not be used for or merged with amounts available
19 for the general fund of the educational institution or
20 sponsor of a program of apprenticeship.

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

24 (b) EFFECTIVE DATE.—The amendment made by
25 subsection (a) shall take effect on August 1, 2018.

1 (c) CONFORMING AMENDMENT.—Section 412(b) of
2 Jeff Miller and Richard Blumenthal Veterans Health Care
3 and Benefits Improvement Act of 2016 (Public Law 114–
4 315; 38 U.S.C. 3684 note) is amended—

5 (1) in the matter before paragraph (1), by
6 striking “on September 25, 2026” and inserting “on
7 July 31, 2018”; and

8 (2) in the subsection heading, by striking
9 “THROUGH SEPTEMBER 25, 2016” and inserting
10 “THROUGH JULY 31, 2018”.

11 **SEC. 5. DEPARTMENT OF VETERANS AFFAIRS PROVISION**
12 **OF ON-CAMPUS EDUCATIONAL AND VOCA-**
13 **TIONAL COUNSELING FOR VETERANS.**

14 (a) IN GENERAL.—Chapter 36 of title 38, United
15 States Code, is amended by inserting after section 3697A
16 the following new section:

17 **“§ 3697B. On-campus educational and vocational**
18 **counseling**

19 “(a) IN GENERAL.—(1) The Secretary shall provide
20 educational and vocational counseling services for veterans
21 at locations on the campuses of institutions of higher
22 learning selected by the Secretary.

23 “(2) Such counseling services shall be provided by
24 employees of the Department who provide such services
25 under section 3697A of this title.

1 “(3) Such services shall include, when determined ap-
2 propriate by such employees, personalized learning plans
3 for each veteran that map a defined program of study
4 based on the veteran’s academic career goals.

5 “(b) SELECTION OF LOCATIONS.—(1) To be selected
6 by the Secretary under this section, an institution of high-
7 er learning shall provide an appropriate space on the cam-
8 pus of the institution where counseling services can be pro-
9 vided under this section.

10 “(2) In selecting locations for the provision of coun-
11 seling services under this section, the Secretary shall seek
12 to select locations where the maximum number of veterans
13 would have access to such services.

14 “(c) ANNUAL REPORT.—Not later than 180 days
15 after the date of the enactment of this section and not
16 less frequently than once each year thereafter, the Sec-
17 retary shall submit to Congress a report on the counseling
18 services provided under this section. Such report shall in-
19 clude, for the year covered by the report—

20 “(1) the average ratio of counselors providing
21 such services to veterans who received such services
22 at each location where such services were provided;

23 “(2) a description of such services provided;

24 “(3) the recommendations of the Secretary for
25 improving the provision of such services;

1 “(4) a description of the training that the coun-
2 selors providing such services received so that such
3 counselors could effectively provide veterans with
4 current labor market information and regional work-
5 force trends; and

6 “(5) such other matters as the Secretary deter-
7 mines appropriate.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 at the beginning of such chapter is amended by inserting
10 after the item relating to section 3697A the following new
11 item:

 “3697B. On-campus educational and vocational counseling.”.

12 **SEC. 6. PROVISION OF INFORMATION REGARDING ENTI-**
13 **TLEMENT OF VETERANS TO EDUCATIONAL**
14 **ASSISTANCE.**

15 (a) IN GENERAL.—Subchapter II of chapter 36 of
16 title 38, United States Code, is amended by adding at the
17 end the following new section:

18 **“§ 3699. Provision of certain information to edu-**
19 **ational institutions**

20 “(a) IN GENERAL.—For each veteran or other indi-
21 vidual pursuing a course of education that has been ap-
22 proved under this chapter using educational assistance to
23 which the veteran or other individual is entitled under
24 chapter 30, 32, 33, or 35 of this title, the Secretary shall
25 make available to the educational institution offering the

1 course information regarding the amount of such edu-
2 cational assistance to which the veteran or other individual
3 is entitled.

4 “(b) MANNER INFORMATION IS PROVIDED.—The
5 Secretary shall provide information made available under
6 subsection (a) to an educational institution through a se-
7 cure information technology system accessible by the edu-
8 cational institution.

9 “(c) REGULAR UPDATES.—With respect to informa-
10 tion made available under subsection (a) relating to a vet-
11 eran or other individual, the Secretary shall regularly up-
12 date such information to reflect any amounts used by the
13 veteran or other individual.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 at the beginning of such chapter is amended by inserting
16 after the item relating to section 3698 the following new
17 item:

“3699. Provision of certain information to educational institutions.”.

18 **SEC. 7. MODIFICATIONS RELATING TO REIMBURSEMENT**
19 **OF EXPENSES OF STATE APPROVING AGEN-**
20 **CIES FOR MATTERS RELATING TO ADMINIS-**
21 **TRATION OF VETERANS EDUCATIONAL AS-**
22 **SISTANCE.**

23 (a) INCREASE.—Section 3674(a) of title 38, United
24 States Code, is amended—

1 (1) in paragraph (2)(A), by striking “out of
2 amounts available for the payment of readjustment
3 benefits” and inserting “out of amounts in the De-
4 partment of Veterans Affairs readjustment benefits
5 account and amounts appropriated to the Sec-
6 retary”; and

7 (2) in paragraph (4)—

8 (A) by striking “The total” and inserting:
9 “(A) The total”;

10 (B) by striking “\$19,000,000” and insert-
11 ing “\$23,000,000”; and

12 (C) by adding at the end the following new
13 subparagraph:

14 “(B) Whenever there is an increase in ben-
15 efit amounts payable under title II of the Social
16 Security Act (42 U.S.C. 401 et seq.) as a result
17 of a determination made under section 215(i) of
18 such Act (42 U.S.C. 415(i)), the Secretary
19 shall, effective on the date of such increase in
20 benefit amounts, increase the amount in effect
21 under subparagraph (A), as in effect imme-
22 diately prior to the date of such increase in ben-
23 efit amounts payable under title II of the Social
24 Security Act, by the same percentage as the

1 percentage by which such benefit amounts are
2 increased.”.

3 **SEC. 8. TREATMENT, FOR PURPOSES OF EDUCATIONAL AS-**
4 **SISTANCE ADMINISTERED BY THE SEC-**
5 **RETARY OF VETERANS AFFAIRS, OF EDU-**
6 **CATIONAL COURSES THAT BEGIN SEVEN OR**
7 **FEWER DAYS AFTER THE FIRST DAY OF AN**
8 **ACADEMIC TERM.**

9 Section 3684(a) of title 38, United States Code, is
10 amended—

11 (1) by redesignating paragraph (4) as para-
12 graph (5); and

13 (2) by inserting after paragraph (3) the fol-
14 lowing new paragraph (4):

15 “(4) A course offered by an educational institu-
16 tion that does not begin on the first day of an aca-
17 demic term, but does begin seven or fewer days after
18 such day, shall be treated as beginning on such day
19 for purposes of this section.”.

20 **SEC. 9. EXTENSION OF AUTHORITY FOR ADVISORY COM-**
21 **MITTEE ON EDUCATION.**

22 Section 3692(c) of title 38, United States Code, is
23 amended by striking “December 31, 2017” and inserting
24 “December 31, 2022”.