

112TH CONGRESS
2D SESSION

S. 2241

To ensure that veterans have the information and protections they require to make informed decisions regarding use of Post-9/11 Educational Assistance, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 27, 2012

Mrs. MURRAY (for herself, Mr. AKAKA, Mr. BEGICH, Mr. BROWN of Ohio, Mr. ROCKEFELLER, Mr. COONS, Mr. HARKIN, Mr. INOUE, Mr. LEAHY, and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To ensure that veterans have the information and protections they require to make informed decisions regarding use of Post-9/11 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 “GI Bill Consumer
5 Awareness Act of 2012”.

1 **SEC. 2. PUBLICATION BY SECRETARY OF VETERANS AF-**
 2 **FAIRS AND SECRETARY OF DEFENSE OF IN-**
 3 **FORMATION ABOUT EDUCATIONAL INSTITU-**
 4 **TIONS.**

5 (a) PUBLICATION BY SECRETARY OF VETERANS AF-
 6 FAIRS.—

7 (1) IN GENERAL.—Subchapter II of chapter 36
 8 of title 38, United States Code, is amended by add-
 9 ing at the end the following new section:

10 **“§ 3697B. Publication of information about edu-**
 11 **cational institutions**

12 “(a) PUBLICATION OF INFORMATION.—The Sec-
 13 retary shall, on an ongoing basis, make available to vet-
 14 erans, members of the Armed Forces, and other individ-
 15 uals eligible to receive or receiving assistance under this
 16 chapter or any of chapters 30 through 35 of this title or
 17 chapters 106A or 1606 of title 10 the information de-
 18 scribed in subsection (d) in language that can be easily
 19 understood by such veterans, members, and other individ-
 20 uals.

21 “(b) COLLECTION OF INFORMATION.—(1) In order to
 22 make the information described in subsection (d) available
 23 as required by subsection (a), the Secretary shall take
 24 such actions as may be necessary to obtain such informa-
 25 tion.

1 “(2) If the Secretary requires, for purposes of this
2 section, information that has been reported by an edu-
3 cational institution to the Secretary of Education, the Sec-
4 retary of Defense, the Secretary of Labor, or the heads
5 of other Federal agencies under a provision of law other
6 than under this section or section 3679A of this title, the
7 Secretary shall obtain such information from such Sec-
8 retary or head rather than the educational institution.

9 “(3) Making information available under subsection
10 (a) shall not be required in a case in which the number
11 of students in a category is insufficient to yield statis-
12 tically reliable information or the results would reveal per-
13 sonally identifiable information about an individual stu-
14 dent.

15 “(c) PARTNERSHIP WITH SECRETARY OF EDU-
16 CATION AND SECRETARY OF DEFENSE.—(1) The Sec-
17 retary shall carry out subsections (a) and (b) in consulta-
18 tion and cooperation with the Secretary of Education and
19 the Secretary of Defense.

20 “(2) If the Secretary of Education or the Secretary
21 of Defense incur any costs in consulting or cooperating
22 with the Secretary of Veterans Affairs under paragraph
23 (1), the Secretary of Veterans Affairs shall reimburse the
24 Secretary concerned, from amounts appropriated to the
25 Secretary of Veterans Affairs, for such costs.

1 “(d) INFORMATION.—The information described in
2 this subsection is as follows:

3 “(1) An explanation of the different types of ac-
4 creditation available to educational institutions and
5 programs of education.

6 “(2) A general overview of Federal student aid
7 programs, the implications of incurring student loan
8 debt, and discussion of how receipt of educational
9 assistance under this chapter or any of chapters 30
10 through 35 of this title may enable students to com-
11 plete programs of education without incurring sig-
12 nificant educational debt.

13 “(3) For each educational institution at which
14 an individual is enrolled in a program of education
15 for which the individual receives assistance under
16 this chapter or any of chapters 30 through 35 of
17 this title or chapter 106A or 1606 of title 10 and
18 for the most recent academic year for which infor-
19 mation is available, the following:

20 “(A) The percentage of students who en-
21 roll in the first term of a program of education
22 of the educational institution who on the date
23 that is 1 year after the date of enrolling are not
24 enrolled in any program of education at the
25 educational institution.

1 “(B) The percentage of students enrolled
2 in a program of education offered by the edu-
3 cational institution who complete the program
4 of education within the normal time for comple-
5 tion of such program and the percentage of stu-
6 dents enrolled in a program of education of-
7 fered by the educational institution who com-
8 plete the program of education within 150 per-
9 cent of such period, disaggregated by students
10 who receive and don’t receive assistance for
11 pursuit of the program of education under this
12 chapter or any of chapters 30 through 35 of
13 this title or chapter 106A or 1606 of title 10.

14 “(C) The number of degrees and certifi-
15 cates awarded by the educational institution
16 and the number of students enrolled in pro-
17 grams of education at the educational institu-
18 tion that lead to a degree or a certificate.

19 “(D) The number of students enrolled in a
20 program of education of the educational institu-
21 tion.

22 “(E) The rates of job placement of stu-
23 dents who complete a program of education of-
24 fered by the educational institution that pre-
25 pares students for gainful employment in a rec-

ognized occupation and for other programs if such rates are available for such other programs.

“(F) The mean of the wages the students described in subparagraph (E) receive from their first positions of employment obtained after completing a program of education offered by the educational institution.

“(G) A description of the accreditation of the educational institution, if any, and the names of any national or regional accrediting agencies that have accredited the educational institution.

“(H) For each program of education offered by the educational institution, the following:

“(i) The percentage of students who enroll in the first term of the program of education who on the date that is 1 year after the date of enrolling are not enrolled in any program of education at the educational institution.

“(ii) The percentage of students enrolled in the program of education who complete the program of education within

1 the normal time for completion of such
2 program and the percentage of students
3 enrolled in the program of education who
4 complete the program of education within
5 150 percent of such period, disaggregated
6 by students who receive and don't receive
7 assistance for pursuit of the program of
8 education under this chapter or any of
9 chapters 30 through 35 of this title or
10 chapter 106A or 1606 of title 10.

11 “(iii) The number of degrees or cer-
12 tificates awarded by the educational insti-
13 tution to individuals who enrolled in the
14 program of education.

15 “(iv) The number of students enrolled
16 in the program of education.

17 “(v) If the program of education is
18 designed to prepare a student for a par-
19 ticular occupation, whether such occupa-
20 tion generally requires licensing or certifi-
21 cation in the State in which the edu-
22 cational institution is located and if so,
23 whether successfully completing such pro-
24 gram of education generally qualifies an
25 individual—

1 “(I) to obtain such licensing or
2 certification;

3 “(II) to take an examination that
4 is generally required to obtain such li-
5 censing or certification; or

6 “(III) to meet such other pre-
7 conditions as may be necessary for
8 employment in such occupation in
9 such State.

10 “(vi) If the program of education is
11 designed to prepare a student for a par-
12 ticular occupation that generally requires
13 licensing or certification in the State in
14 which the educational institution is located,
15 the percentage of students who completed
16 such program of education who obtained
17 such licensing or certification.

18 “(vii) The rates of job placement of
19 students who complete the program of edu-
20 cation for programs of education that pre-
21 pare students for gainful employment in a
22 recognized occupation and for other pro-
23 grams if such rates are available for such
24 other programs.

1 “(viii) The mean of the wages the stu-
2 dents described in clause (vii) receive from
3 their first positions of employment ob-
4 tained after completing the program of
5 education.

6 “(ix) A description of the accredita-
7 tion of the program of education, if any,
8 and the names of any national or regional
9 accrediting agencies that have accredited
10 the program of education.

11 “(I) An explanation of the following:

12 “(i) Whether academic credits award-
13 ed by the educational institution are trans-
14 ferable to public educational institutions in
15 the State in which the educational institu-
16 tion is located.

17 “(ii) Any articulation agreements the
18 educational institution may have with any
19 other educational institutions.

20 “(iii) How the educational institution
21 may or may not accept academic credit
22 awarded by another educational institution,
23 including whether the educational institu-
24 tion accepts the transfer of academic cred-
25 its from the following:

1 “(I) The Army/American Council
2 on Education Registry Transcript
3 System.

4 “(II) The Sailor-Marine Amer-
5 ican Council on Education Registry
6 Transcript.

7 “(III) The Community College of
8 the Air Force.

9 “(IV) The United States Coast
10 Guard Institute.

11 “(J) The average tuition and fees for all
12 programs of education at the educational insti-
13 tution leading to a baccalaureate degree or less-
14 er degree, license, or certificate and the average
15 tuition and fees charged by public educational
16 institutions for similar programs of education,
17 disaggregated by State.

18 “(K) The median amount of debt from
19 Federal student loans under title IV of the
20 Higher Education Act of 1965 (20 U.S.C. 1070
21 et seq.), and to the degree practicable, private
22 student loans, held upon completion of a pro-
23 gram of education by an individual who received
24 assistance under chapter 30, 32, 33, or 34 of

1 this title for pursuit of such program of edu-
2 cation at the educational institution.

3 “(L) The cohort default rate, as defined in
4 section 435(m) of the Higher Education Act of
5 1965 (20 U.S.C. 1085(m)), of the educational
6 institution.

7 “(M) With respect to the information re-
8 ported under subparagraphs (K) and (L), indi-
9 cators of how the educational institution com-
10 pares with all public educational institutions of-
11 fering comparable programs of education.

12 “(N) Whether the educational institution is
13 a public, private nonprofit, or private for-profit
14 institution.

15 “(O) The number of veterans enrolled in
16 programs of education at the educational insti-
17 tution who are receiving assistance under this
18 chapter and chapters 30 through 35 of this title
19 and chapters 106A and 1606 of title 10 for
20 pursuit of such programs of education.

21 “(P) A description of the benefits and as-
22 sistance veterans described in subparagraph (K)
23 may be entitled to under the laws of the State
24 or States in which the veterans receive instruc-
25 tion from the educational institution.

1 “(Q) A description of the educational insti-
 2 tution’s participation, if any, in the Yellow Rib-
 3 bon G.I. Education Enhancement Program es-
 4 tablished under section 3317(a) of this title.

5 “(R) If the educational institution charges
 6 a lower rate of tuition for students who reside
 7 in the same State as the educational institu-
 8 tion—

9 “(i) identification of the requirements
 10 for students to obtain in-State status for
 11 such lower rate of tuition; and

12 “(ii) a list of educational institutions
 13 located or incorporated in the same State
 14 as the educational institution that waive
 15 such requirements for veterans.”.

16 (2) CLERICAL AMENDMENT.—The table of sec-
 17 tions at the beginning of chapter 36 of such title is
 18 amended by inserting after the item relating to sec-
 19 tion 3697A the following new item:

“3697B. Publication of information about educational institutions.”.

20 (3) EFFECTIVE DATE.—Section 3697B of title
 21 38, United States Code, as added by paragraph (1),
 22 shall take effect on the date that is 180 days after
 23 the date of the enactment of this Act and not later
 24 than such date, the Secretary of Veterans Affairs

1 shall begin making information available as de-
2 scribed in subsection (a) of such section.

3 (b) TRAINING FOR EMPLOYEES OF DEPARTMENT OF
4 VETERANS AFFAIRS EDUCATION CALL CENTERS.—Not
5 later than one year after the date of the enactment of this
6 Act, the Secretary of Veterans Affairs shall ensure that
7 appropriate employees of each of the education call centers
8 of the Department of Veterans Affairs receive appropriate
9 training regarding the information made available under
10 section 3697B of title 38, United States Code, as added
11 by subsection (a)(1).

12 (c) PUBLICATION BY SECRETARY OF DEFENSE.—

13 (1) IN GENERAL.—The Secretary of Defense
14 shall, on an ongoing basis, make available to individ-
15 uals eligible to receive or receiving assistance under
16 the Military Spouse Career Advancement Account
17 (MyCAA) program of the Department of Defense
18 the information described in paragraph (4) in lan-
19 guage that can be easily understood by such individ-
20 uals.

21 (2) COLLECTION OF INFORMATION.—

22 (A) IN GENERAL.—In order to make the
23 information described in paragraph (4) avail-
24 able as required by paragraph (1), the Sec-
25 retary shall take such actions as may be nec-

1 essary to obtain such information, including by
2 requiring educational institutions to provide, as
3 a condition of participating in such program,
4 such information as the Secretary considers
5 necessary to carry out this subsection.

6 (B) COLLECTION FROM OTHER FEDERAL
7 AGENCIES.—If the Secretary of Defense re-
8 quires, for purposes of this section, information
9 that has been reported by an educational insti-
10 tution to the Secretary of Education, the Sec-
11 retary of Veterans Affairs, the Secretary of
12 Labor, or the heads of other Federal agencies
13 under a provision of law other than under this
14 subsection, the Secretary of Defense shall ob-
15 tain such information from such Secretary or
16 head rather than the educational institution.

17 (C) PRIVACY.—Making information avail-
18 able under paragraph (1) shall not be required
19 in a case in which the number of students in a
20 category is insufficient to yield statistically reli-
21 able information or the results would reveal
22 personally identifiable information about an in-
23 dividual student.

24 (3) PARTNERSHIP WITH SECRETARY OF EDU-
25 CATION.—The Secretary of Defense shall carry out

1 paragraphs (1) and (2) in consultation and coopera-
2 tion with the Secretary of Education.

3 (4) INFORMATION.—The information described
4 in this paragraph is as follows:

5 (A) An explanation of the different types
6 of accreditation available to educational institu-
7 tions and programs of education.

8 (B) A general overview of Federal student
9 aid programs and the implications of incurring
10 student loan debt.

11 (C) For each educational institution at
12 which an individual is enrolled in a program of
13 education and receives assistance under the
14 Military Spouse Career Advancement Account
15 (MyCAA) program of the Department of De-
16 fense for pursuit of such program of education,
17 the following:

18 (i) The percentage of students who
19 enroll in the first term of a program of
20 education of the educational institution
21 who on the date that is 1 year after the
22 date of enrolling are not enrolled in any
23 program of education at the educational
24 institution.

1 (ii) The percentage of students who
2 transfer from one program of education of-
3 fered by the educational institution to an-
4 other program of education offered by the
5 educational institution.

6 (iii) The rates of job placement of stu-
7 dents who complete a program of edu-
8 cation offered by the educational institu-
9 tion that prepares students for gainful em-
10 ployment in a recognized occupation and
11 for other programs if such rates are avail-
12 able for such other programs.

13 (iv) The mean of the wages the stu-
14 dents described in clause (iii) receive from
15 their first positions of employment ob-
16 tained after completing a program of edu-
17 cation offered by the educational institu-
18 tion.

19 (v) A description of the accreditation
20 of the educational institution, if any, and
21 the names of any national or regional ac-
22 crediting agencies that have accredited the
23 educational institution.

1 (vi) For each program of education
2 offered by the educational institution, the
3 following:

4 (I) If the program of education is
5 designed to prepare a student for a
6 particular occupation, whether such
7 occupation generally requires licensing
8 or certification in the State in which
9 the educational institution is located
10 and if so, whether successfully com-
11 pleting such program of education
12 generally qualifies an individual—

13 (aa) to obtain such licensing
14 or certification;

15 (bb) to take an examination
16 that is generally required to ob-
17 tain such licensing or certifi-
18 cation; or

19 (cc) to meet such other pre-
20 conditions as may be necessary
21 for employment in such occupa-
22 tion in such State.

23 (II) If the program of education
24 is designed to prepare a student for a
25 particular occupation that generally

1 requires licensing or certification in
2 the State in which the educational in-
3 stitution is located, the percentage of
4 students who completed such program
5 of education who obtained such licens-
6 ing or certification.

7 (III) The rates of job placement
8 of students who complete the program
9 of education for programs of edu-
10 cation that prepares students for
11 gainful employment in a recognized
12 occupation and for other programs if
13 such rates are available for such other
14 programs.

15 (IV) The mean of the wages the
16 students described in subclause (III)
17 receive from their first positions of
18 employment obtained after completing
19 the program of education.

20 (vii) An explanation of the following:

21 (I) Whether academic credits
22 awarded by the educational institution
23 are transferable to public educational
24 institutions in the State in which the
25 educational institution is located.

1 (II) Any articulation agreements
 2 the educational institution may have
 3 with any other educational institu-
 4 tions.

5 (III) How the educational institu-
 6 tion may or may not accept academic
 7 credit awarded by another educational
 8 institution.

9 (viii) Whether the educational institu-
 10 tion is a public, private nonprofit, or pri-
 11 vate for-profit institution.

12 (ix) If the educational institution is
 13 accredited, whether the educational institu-
 14 tion has received disciplinary complaints
 15 from the accrediting agency that awarded
 16 such accreditation and the adjudication
 17 status of such complaints.

18 **SEC. 3. ADDITIONAL REQUIREMENTS OF EDUCATIONAL IN-**
 19 **STITUTIONS FOR SUPPORT OF VETERANS**
 20 **AND MEMBERS OF THE ARMED FORCES.**

21 (a) ADDITIONAL REQUIREMENTS UNDER TITLE
 22 38.—

23 (1) IN GENERAL.—Subchapter I of chapter 36
 24 of title 38, United States Code, is amended by add-
 25 ing at the end the following new section:

1 **“§ 3679A. Additional requirements**

2 “(a) AFFIRMATIVE REQUIREMENTS.—A course of
3 education of an educational institution may not be ap-
4 proved under this chapter unless the educational institu-
5 tion carries out the following:

6 “(1) Compiling and disclosing to the Secretary
7 such information as the Secretary may require to
8 carry out section 3697B of this title to the extent
9 that such information is available to the educational
10 institution.

11 “(2) If more than 10 veterans or members of
12 the Armed Forces are enrolled in a course of edu-
13 cation at the educational institution, ensuring that
14 at least one full-time equivalent employee of the edu-
15 cational institution is knowledgeable about benefits
16 and assistance available to veterans and members of
17 the Armed Forces under laws administered by the
18 Secretary of Veterans Affairs and the Secretary of
19 Defense.

20 “(3) Ensuring that appropriate employees of
21 the educational institution are trained and qualified
22 to handle assistance provided under this chapter,
23 chapters 30 through 35 of this title, and chapters
24 106A and 1606 of title 10.

25 “(4) If more than 10 veterans or members of
26 the Armed Forces are enrolled in a course of edu-

1 cation at the educational institution, providing aca-
2 demic advising and support services to veterans, in-
3 cluding remediation, tutoring, career and placement
4 counseling services, and referrals to centers for read-
5 justment counseling and related mental health serv-
6 ices for veterans under section 1712A of this title
7 (known as ‘vet centers’).

8 “(5) Offering training for members of the fac-
9 ulty of the educational institution on matters that
10 are relevant to veterans and members of the Armed
11 Forces who are enrolled in courses of education at
12 the educational institution.

13 “(6) Agreeing to abide by the policies developed
14 under section 3696(b) of this title.

15 “(7) Establishing a point of contact for vet-
16 erans enrolled in courses of education at the edu-
17 cational institution who can—

18 “(A) assist such veterans in adjusting to
19 student life at the educational institution; or

20 “(B) provide referrals to groups or organi-
21 zations that provide such assistance.

22 “(b) PROHIBITIONS.—A course of education of an
23 educational institution may not be approved under this
24 chapter if the educational institution—

1 “(1) requires a student enrolled in the course of
2 education to waive the student’s right to legal re-
3 course under any otherwise applicable provision of
4 Federal or State law; or

5 “(2) requires a student enrolled in the course of
6 education to submit to arbitration or imposes oner-
7 ous legal notice provisions in the case of a dispute
8 with the educational institution.”.

9 (2) CLERICAL AMENDMENT.—The table of sec-
10 tions at the beginning of chapter 36 of such title is
11 amended by inserting after the item relating to sec-
12 tion 3679 the following new item:

“3679A. Additional requirements.”.

13 (3) CONFORMING AMENDMENT.—Section
14 3672(b)(2)(A) of such title is amended by striking
15 “and 3696” and inserting “3696, and 3697B”.

16 (4) EFFECTIVE DATE.—Section 3679A of such
17 title, as added by paragraph (1), shall take effect on
18 the date that is 180 days after the date of the enact-
19 ment of this Act.

20 (b) MEMORANDUMS OF UNDERSTANDING BETWEEN
21 DEPARTMENT OF DEFENSE AND EDUCATIONAL INSTITU-
22 TIONS.—

23 (1) IN GENERAL.—Chapter 106A of title 10,
24 United States Code, is amended by adding at the
25 end the following new section:

1 **“§ 2149A. Memorandums of understanding with edu-**
 2 **cational institutions**

3 “(a) IN GENERAL.—The Secretary shall seek to enter
 4 into a memorandum of understanding, not later than one
 5 year after the date of the enactment of the GI Bill Con-
 6 sumer Awareness Act of 2012, with each educational insti-
 7 tution at which an individual is enrolled in a program of
 8 education for which the individual receives assistance
 9 under this chapter.

10 “(b) ELEMENTS.—Each memorandum of under-
 11 standing entered into under subsection (a) shall require
 12 the educational institution with which the Secretary enters
 13 into the understanding to carry out paragraphs (2)
 14 through (7) of section 3679A(a) of title 38.

15 “(c) BAN ON RECRUITING ON MILITARY INSTALLA-
 16 TIONS.—No individual who represents an educational in-
 17 stitution described in subsection (a) may enter a military
 18 facility of the United States for purposes of recruiting stu-
 19 dents for the educational institution if the educational in-
 20 stitution has not entered into a memorandum of under-
 21 standing with the Secretary under such subsection.”.

22 (2) CLERICAL AMENDMENT.—The table of sec-
 23 tions at the beginning of chapter 106A of such title
 24 is amended by adding at the end the following new
 25 item:

“2149A. Memorandums of understanding with educational institutions.”.

1 **SEC. 4. PROTECTIONS FOR VETERANS AND MEMBERS OF**
 2 **THE ARMED FORCES ATTENDING EDU-**
 3 **CATIONAL INSTITUTIONS.**

4 (a) POLICIES TO CURB AGGRESSIVE RECRUITING.—
 5 Section 3696 of title 38, United States Code, is amend-
 6 ed—

7 (1) in subsection (a)—

8 (A) by inserting “, including utilizing
 9 third-party lead generators that gather names
 10 of prospective students through the use decep-
 11 tive or misleading acts or practices” before the
 12 period at the end; and

13 (B) by inserting “(1)” before “The Sec-
 14 retary”;

15 (2) by redesignating subsections (b) and (c) as
 16 paragraphs (2) and (3), respectively;

17 (3) in paragraph (3), as redesignated by para-
 18 graph (2), by striking “under subsection (a)” each
 19 place it appears and inserting “under paragraph
 20 (1)”;

21 (4) by striking “this section” each place it ap-
 22 pears and inserting “this subsection”; and

23 (5) by adding at the end the following new sub-
 24 section (b):

25 “(b) Not later than 90 days after the date of the en-
 26 actment of the GI Bill Consumer Awareness Act of 2012,

1 the Secretary of Veterans Affairs and the Secretary of De-
 2 fense shall jointly develop policies to curb aggressive re-
 3 cruiting of veterans and members of the Armed Forces
 4 by educational institutions.”.

5 (b) PROHIBITION ON INDUCEMENTS.—Such section
 6 is further amended by adding at the end the following new
 7 subsection:

8 “(c) The Secretary shall not approve a course offered
 9 by an educational institution if the educational institution
 10 uses inducements or provides any gratuity, favor, dis-
 11 count, entertainment, hospitality loan, transportation,
 12 lodging, meals, or other item having a monetary value of
 13 more than a de minimis amount to any individual or entity
 14 (other than salaries paid to employees or fees paid to con-
 15 tractors in conformity with all applicable provisions of law)
 16 for the purpose of securing enrollments.”.

17 (c) WORKING GROUP.—

18 (1) IN GENERAL.—Chapter 36 of such title is
 19 amended by inserting after section 3692 the fol-
 20 lowing new section:

21 **“§ 3692A. Working group**

22 “(a) ESTABLISHMENT.—Not later than 60 days after
 23 the date of the enactment of the GI Bill Consumer Aware-
 24 ness Act of 2012, the Secretary of Veterans Affairs and

1 the Secretary of Defense shall jointly, in consultation with
2 the Secretary of Education, establish a working group—

3 “(1) to coordinate consumer protection efforts
4 of the Department of Veterans Affairs and the De-
5 partment of Defense with respect to educational as-
6 sistance provided under this chapter, chapters 30
7 through 35 of this title, and chapters 106A and
8 1606 of title 10; and

9 “(2) to develop policies related to postsecondary
10 education marketing and recruitment of veterans
11 and members of the Armed Forces.

12 “(b) DUTIES.—In coordinating efforts and devel-
13 oping policies under subsection (a), the working group
14 shall—

15 “(1) survey veterans and members of the
16 Armed Forces who have received educational assist-
17 ance described in subsection (a)(1) to obtain feed-
18 back on the educational assistance received and on
19 the program of education for which such assistance
20 was received;

21 “(2) review marketing and recruitment prac-
22 tices carried out by educational institutions to deter-
23 mine whether the advertising practices of such insti-
24 tutions might be detrimental to veterans and mem-
25 bers of the Armed Forces, including a review of

1 Internet websites used for marketing and advertising
 2 campaigns targeted towards veterans and members
 3 of the Armed Forces; and

4 “(3) monitor the overall postsecondary edu-
 5 cation market for developments that affect veterans
 6 and members of the Armed Forces.

7 “(c) CONSULTATION.—In carrying out its duties
 8 under this section, the working group shall consult with
 9 appropriate Federal agencies (including the Department
 10 of Education and the Consumer Federal Protection Bu-
 11 reau), consumer protection groups, veterans service orga-
 12 nizations, military service organizations, representatives of
 13 educational institutions, and representatives of such other
 14 groups or organizations as the Secretaries consider appro-
 15 priate.

16 “(d) EXEMPTION FROM FACCA.—The Federal Advi-
 17 sory Committee Act (5 U.S.C. App.) shall not apply to
 18 the working group established under subsection (a).

19 “(e) VETERANS SERVICE ORGANIZATION DE-
 20 FINED.—In this section, the term ‘veterans service organi-
 21 zation’ means any organization recognized by the Sec-
 22 retary for the representation of veterans under section
 23 5902 of this title.”.

24 (2) CLERICAL AMENDMENT.—The table of sec-
 25 tions at the beginning of chapter 36 of such title is

1 amended by inserting after the item relating to sec-
 2 tion 3692 the following new item:

“3692A. Working group.”.

3 (3) REPORT.—Not later than 180 days after
 4 the date of the enactment of this Act, the working
 5 group established under section 3692A of such title,
 6 as added by paragraph (1), shall submit to Congress
 7 a report on the activities of the working group under
 8 such section, including the following:

9 (A) The findings of the working group.

10 (B) The actions taken by the working
 11 group.

12 (C) The policies developed by the working
 13 group.

14 (D) Recommendations for such legislative
 15 and regulatory action as may be necessary to
 16 coordinate as described in paragraph (1) of sec-
 17 tion 3692A(a) of such title and develop policies
 18 as described in paragraph (2) of such section.

19 (d) POLICIES ON CONFLICTS OF INTEREST BE-
 20 TWEEN EMPLOYEES OF DEPARTMENT OF VETERANS AF-
 21 FAIRS, DEPARTMENT OF DEFENSE, AND EDUCATIONAL
 22 INSTITUTIONS.—Section 3683 of such title is amended by
 23 adding at the end the following new subsection:

24 “(e) The Secretary of Veterans Affairs and the Sec-
 25 retary of Defense shall develop policies for employees of

1 the Department of Veterans Affairs and the Department
 2 of Defense, respectively, regarding conflicts of interest be-
 3 tween employees of such departments and educational in-
 4 stitutions.”.

5 **SEC. 5. ASSESSMENT OF QUALITY AND DELIVERY OF CA-**
 6 **REER INFORMATION AND COUNSELING TO**
 7 **MEMBERS OF ARMED FORCES AND VET-**
 8 **ERANS.**

9 (a) IN GENERAL.—Not later than 180 days after the
 10 date of the enactment of this Act, the Secretary of Defense
 11 and the Secretary of Veterans Affairs shall, in collabora-
 12 tion with the Secretary of Labor and the Secretary of
 13 Education, assess the quality and delivery of career infor-
 14 mation and counseling provided to members of the Armed
 15 Forces and veterans enrolled in (or planning to enroll in)
 16 programs of education with assistance under chapter
 17 106A or 1606 of title 10, United States Code, or any of
 18 chapters 30 through 36 of title 38, United States Code.

19 Such assessment shall address, at minimum, the following:

20 (1) Whether such information and counseling is
 21 relevant to the labor markets in which such mem-
 22 bers or veterans plan to relocate, if applicable.

23 (2) Whether such information and counseling
 24 identifies careers that are available in in-demand oc-
 25 cupations and industries in such labor markets.

1 (3) Whether such information and counseling
2 identifies the education and credentials required for
3 such careers.

4 (4) Whether assessments provided to such
5 members and veterans as part of such counseling of
6 the skills and credentials of such members and vet-
7 erans match such skills and credentials with the
8 skills and credentials required for jobs in the civilian
9 workforce.

10 (5) Whether the assessments described in para-
11 graph (4) identify the additional skills or credentials
12 members and veterans described in such paragraph
13 may need for employment in jobs in the civilian
14 workforce.

15 (6) Whether such information identifies the
16 education and training programs that provide the
17 skills necessary for such careers in such labor mar-
18 kets.

19 (7) Whether such information is provided in a
20 timely manner.

21 (b) COLLABORATION WITH THE ONE-STOP DELIV-
22 ERY SYSTEM AND TRANSITION ASSISTANCE PROGRAMS.—
23 In carrying out subsection (a), the Secretary of Defense
24 and the Secretary of Veterans Affairs shall, in collabora-
25 tion with the Secretary of Labor, determine how programs

1 that provide education and career counseling services to
2 members of the Armed Forces and veterans under laws
3 administered by the Secretary of Defense and the Sec-
4 retary of Veterans Affairs should—

5 (1) collaborate and improve information sharing
6 with one-stop delivery systems established under sec-
7 tion 134(c) of the Workforce Investment Act of
8 1998 (29 U.S.C. 2864(c)), including collaboration
9 through electronic means, to provide the information
10 described in subsection (a) to the members of the
11 Armed Forces before such members transition from
12 service in the Armed Forces to civilian life; and

13 (2) coordinate with—

14 (A) each other;

15 (B) the Transition Assistance Program
16 (TAP) of the Department of Defense;

17 (C) the services provided under sections
18 1142, 1143, and 1144 of title 10, United States
19 Code;

20 (D) the programs established under section
21 235(b) of the VOW to Hire Heroes Act of 2011
22 (Public Law 112–56; 38 U.S.C. 4214 note);
23 and

1 (E) the demonstration project established
 2 under section 4114 of title 38, United States
 3 Code.

4 (c) REPORT.—

5 (1) IN GENERAL.—Not later than 180 days
 6 after the date of the enactment of this Act, the Sec-
 7 retary of Defense and the Secretary of Veterans Af-
 8 fairs shall submit to the appropriate committees of
 9 Congress a report on the assessment completed
 10 under subsection (a), including recommendations for
 11 such legislative, regulatory, and administrative ac-
 12 tion as the Secretaries consider necessary to improve
 13 the provision of career information relevant to pro-
 14 grams of education pursued by members of the
 15 Armed Forces and veterans to such members and
 16 veterans.

17 (2) APPROPRIATE COMMITTEES OF CON-
 18 GRESS.—In this subsection, the term “appropriate
 19 committees of Congress” means—

20 (A) the Committee on Armed Services, the
 21 Committee on Veterans’ Affairs, and the Com-
 22 mittee on Health, Education, Labor, and Pen-
 23 sions of the Senate; and

24 (B) the Committee on Armed Services, the
 25 Committee on Veterans’ Affairs, and the Com-

1 mittee on Education and the Workforce of the
2 House of Representatives.

3 **SEC. 6. EXPANSION OF ELIGIBILITY FOR EDUCATIONAL**
4 **AND VOCATIONAL COUNSELING.**

5 Section 3697A(b) of title 38, United States Code, is
6 amended—

7 (1) by striking paragraphs (2) and (3);

8 (2) in paragraph (1), by adding “or” at the
9 end; and

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

12 “(2) is serving on active duty in any State with
13 the Armed Forces and has served in the Armed
14 Forces on active duty for not fewer than 180 days.”.

15 **SEC. 7. SUBMITTAL OF COMPLAINTS REGARDING PRO-**
16 **GRAMS OF EDUCATION AND EDUCATIONAL**
17 **ASSISTANCE.**

18 (a) IN GENERAL.—Chapter 36 of title 38, United
19 States Code, is amended by inserting after section 3693
20 the following new section:

21 **“§ 3693A. Complaint process**

22 “(a) SUBMITTAL OF COMPLAINTS.—The Secretary
23 shall establish procedures for submittal to the Secretary
24 of complaints by a students who are pursuing programs
25 of education with assistance under this chapter, any of

1 chapters 30 through 35 of this title, or chapters 106A or
 2 1606 of title 10 regarding such programs of education or
 3 such assistance.

4 “(b) DATABASE.—The Secretary shall establish a
 5 database to store complaints submitted under subsection
 6 (a) to enable the Secretary—

7 “(1) to improve the provision of assistance
 8 under this chapter and chapters 30 through 35 of
 9 this title;

10 “(2) to improve the provision of educational
 11 and vocational counseling under section 3697A of
 12 this title; and

13 “(3) to identify problems with the programs of
 14 education or assistance described in subsection (a)
 15 that warrant further investigation by the Sec-
 16 retary.”.

17 (b) CLERICAL AMENDMENT.—The table of sections
 18 at the beginning of chapter 36 of such title is amended
 19 by inserting after the item relating to section 3693 the
 20 following new item:

“3693A. Complaint process.”.

1 **SEC. 8. COLLECTION AND DISSEMINATION OF BEST PRAC-**
2 **TICES FOR PROVISION BY EDUCATIONAL IN-**
3 **STITUTIONS OF ASSISTANCE TO STUDENTS**
4 **WHO ARE VETERANS OR MEMBERS OF THE**
5 **ARMED FORCES.**

6 (a) IN GENERAL.—Not later than one year after the
7 date of the enactment of this Act and two and four years
8 thereafter, the Secretary of Veterans Affairs shall, in col-
9 laboration with the Secretary of Education and the Sec-
10 retary of Defense, collect and disseminate information
11 about best practices for the provision by educational insti-
12 tutions of assistance to students who are veterans and stu-
13 dents who are members of the Armed Forces to help them
14 successfully enter, persist in, and complete programs of
15 education.

16 (b) CONSULTATION WITH VETERANS SERVICE OR-
17 GANIZATIONS.—In carrying out subsection (a), the Sec-
18 retary of Veterans Affairs shall consult with veterans serv-
19 ice organizations and educational institutions.

20 **SEC. 9. REPEAL OF LIMITATION ON PAYMENTS FOR CON-**
21 **TRACT EDUCATIONAL AND VOCATIONAL**
22 **COUNSELING.**

23 Section 3697 of title 38, United States Code, is
24 amended—

25 (1) by striking subsection (b); and

1 (2) in subsection (a), by striking “(a) Subject
2 to subsection (b) of this section, educational” and
3 inserting “Educational”.

4 **SEC. 10. DEDICATED POINTS OF CONTACT FOR SCHOOL**
5 **CERTIFYING OFFICIALS.**

6 Section 3684 of title 38, United States Code, is
7 amended by adding at the end the following new sub-
8 section:

9 “(d) Not later than 90 days after the date of the en-
10 actment of the GI Bill Consumer Awareness Act of 2012,
11 the Secretary shall ensure that the Department employs
12 personnel dedicated to assisting personnel of educational
13 institutions who are charged with submitting reports or
14 certifications to the Secretary under this section.”.

15 **SEC. 11. REPORT ON NUMBER OF RECIPIENTS OF EDU-**
16 **CATIONAL ASSISTANCE UNDER LAWS ADMIN-**
17 **ISTERED BY SECRETARY OF VETERANS AF-**
18 **FAIRS.**

19 (a) IN GENERAL.—Not later than 180 days after the
20 date of the enactment of this Act, the Secretary of Vet-
21 erans Affairs shall submit to the Committee on Veterans’
22 Affairs of the Senate and the Committee on Veterans’ Af-
23 fairs of the House of Representatives a report on the re-
24 ceipt of educational assistance under laws administered by

1 the Secretary of Veterans Affairs during the last academic
2 year ending before the submittal of the report.

3 (b) ELEMENTS.—The report required by subsection
4 (a) shall include the following, for the period covered by
5 the report:

6 (1) A list of all educational institutions at
7 which an individual is enrolled in a program of edu-
8 cation for which the individual receives assistance
9 under a law administered by the Secretary of Vet-
10 erans Affairs.

11 (2) For each educational institution listed
12 under paragraph (1), the number of individuals who
13 receive assistance under a law administered by the
14 Secretary to pursue a program of education at the
15 educational institution.

16 (3) For each educational institution listed
17 under paragraph (1), the total amount of assistance
18 paid under laws administered by the Secretary to in-
19 dividuals enrolled in programs of education at the
20 educational institution for pursuit of such programs
21 and paid to the educational institution for the edu-
22 cation of individuals.

1 **SEC. 12. PERFORMANCE METRICS FOR DEPARTMENT OF**
2 **DEFENSE EDUCATION AND WORKFORCE**
3 **TRAINING PROGRAMS.**

4 (a) ESTABLISHMENT OF METRICS.—Not later than
5 180 days after the date of the enactment of this Act, the
6 Secretary of Defense shall, in consultation with the Sec-
7 retary of Education and the Secretary of Labor, establish
8 metrics for tracking the successful completion of education
9 and workforce training programs carried out under laws
10 administered by the Secretary of Defense.

11 (b) REPORT ON METRICS.—Not later than 180 days
12 after the date of the enactment of this Act, the Secretary
13 of Defense shall submit to the appropriate committees of
14 Congress a report on the metrics establish under sub-
15 section (a), including a description of each such metric.

16 (c) ANNUAL ASSESSMENT.—Not later than one year
17 after the date of the enactment of this Act and not less
18 frequently than once each year thereafter, the Secretary
19 of Defense shall submit to the appropriate committees of
20 Congress an assessment of the education and workforce
21 training programs described in subsection (a) using the
22 metrics established under such subsection.

23 (d) APPROPRIATE COMMITTEES OF CONGRESS.—In
24 this section, the term “appropriate committees of Con-
25 gress” means—

1 (1) the Committee on Armed Services and the
2 Committee on Appropriations of the Senate; and

3 (2) the Committee on Armed Services and the
4 Committee on Appropriations of the House of Rep-
5 resentatives.

6 **SEC. 13. PRIVACY.**

7 Nothing in this title or any of the amendments made
8 by this title shall be construed to authorize the Secretary
9 of Veterans Affairs, the Secretary of Defense, the Sec-
10 retary of Education, or the Secretary of Labor to release
11 to the public information about an individual that is other-
12 wise prohibited by a provision of law.

13 **SEC. 14. DEFINITIONS.**

14 In this Act:

15 (1) EDUCATIONAL INSTITUTION AND PROGRAM
16 OF EDUCATION.—The terms “educational institu-
17 tion” and “program of education” have the mean-
18 ings given such terms in section 3501 of title 38,
19 United States Code.

20 (2) VETERANS SERVICE ORGANIZATION.—The
21 term “veterans service organization” means any or-
22 ganization recognized by the Secretary of Veterans
23 Affairs for the representation of veterans under sec-
24 tion 5902 of such title.

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