

114TH CONGRESS
1ST SESSION

H. R. 476

To amend title 38, United States Code, to clarify the process of approving courses of education pursued using educational benefits administered by the Secretary of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 22, 2015

Mr. WENSTRUP introduced the following bill; which was referred to the
Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to clarify the process of approving courses of education pursued using educational benefits administered by the Secretary 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 “GI Bill Education
5 Quality Enhancement Act of 2015”.

6 **SEC. 2. ROLE OF STATE APPROVING AGENCIES.**

7 (a) APPROVAL OF CERTAIN COURSES.—Section
8 3672(b)(2)(A) of title 38, United States Code, is amended

1 by striking “the following” and all that follows through
 2 the colon and inserting the following: “a program of edu-
 3 cation is deemed to be approved for purposes of this chap-
 4 ter if a State approving agency determines that the pro-
 5 gram is one of the following programs:”.

6 (b) APPROVAL OF OTHER COURSES.—Section 3675
 7 of such title amended—

8 (1) in subsection (a)(1)—

9 (A) by striking “The Secretary or a State
 10 approving agency” and inserting “A State ap-
 11 proving agency, or the Secretary when acting in
 12 the role of a State approving agency,”; and

13 (B) by striking “offered by proprietary for-
 14 profit educational institutions” and inserting
 15 “not covered by section 3672 of this title”; and

16 (2) in subsection (b), by striking “the Secretary
 17 or the State approving agency” and inserting “the
 18 State approving agency, or the Secretary when act-
 19 ing in the role of a State approving agency,” each
 20 place it appears.

21 **SEC. 3. CRITERIA USED TO APPROVE NONACCREDITED**
 22 **COURSES.**

23 (a) IN GENERAL.—Section 3676(c)(14) of such title
 24 is amended by inserting before the period the following:
 25 “if the Secretary, in consultation with the State approving

1 agency and pursuant to regulations prescribed to carry out
 2 this paragraph, determines such criteria are necessary and
 3 treat public, private, and proprietary for-profit educational
 4 institutions equitably”.

5 (b) APPLICATION.—The amendment made by sub-
 6 section (a) shall apply with respect to an investigation con-
 7 ducted under section 3676(c) of title 38, United States
 8 Code, that is covered by a reimbursement of expenses paid
 9 by the Secretary of Veterans Affairs to a State pursuant
 10 to section 3674 of such title on or after the first day of
 11 the first fiscal year following the date of the enactment
 12 of this Act.

13 **SEC. 4. CLARIFICATION OF ASSISTANCE PROVIDED FOR**
 14 **CERTAIN FLIGHT TRAINING.**

15 (a) IN GENERAL.—Subsection (c)(1)(A) of section
 16 3313 of such title is amended—

17 (1) in clause (i)—

18 (A) by redesignating subclauses (I) and
 19 (II) as items (aa) and (bb), respectively;

20 (B) by striking “In the case of a program
 21 of education pursued at a public institution of
 22 higher learning” and inserting “(I) Subject to
 23 subclause (II), in the case of a program of edu-
 24 cation pursued at a public institution of higher

1 learning not described in clause (ii)(II)(bb)”;
2 and

3 (C) by adding at the end the following new
4 subclause:

5 “(II) In determining the actual net
6 cost for in-State tuition and fees pursuant
7 to subclause (I), the Secretary may not
8 pay for fees relating to flight training.”;
9 and

10 (2) in clause (ii)—

11 (A) in subclause (I), by redesignating
12 items (aa) and (bb) as subitems (AA) and
13 (BB), respectively;

14 (B) in subclause (II), by redesignating
15 items (aa) and (bb) as subitems (AA) and
16 (BB), respectively;

17 (C) by redesignating subclauses (I) and
18 (II) as items (aa) and (bb), respectively;

19 (D) by striking “In the case of a program
20 of education pursued at a non-public or foreign
21 institution of higher learning” and inserting
22 “(I) In the case of a program of education de-
23 scribed in subclause (II)”; and

24 (E) by adding at the end the following new
25 subclause:

1 “(II) A program of education de-
2 scribed in this subclause is any of the fol-
3 lowing:

4 “(aa) A program of education
5 pursued at a non-public or foreign in-
6 stitution of higher learning.

7 “(bb) A program of education
8 pursued at a public institution of
9 higher learning in which flight train-
10 ing is required to earn the degree
11 being pursued (including with respect
12 to a dual major, concentration, or
13 other element of such a degree).”.

14 (b) APPLICATION.—The amendments made by sub-
15 section (a) shall apply with respect to a quarter, semester,
16 or term, as applicable, commencing on or after the date
17 of the enactment of this Act.

18 **SEC. 5. COMPLIANCE SURVEYS.**

19 (a) IN GENERAL.—Section 3693 of such title is
20 amended—

21 (1) by striking subsection (a) and inserting the
22 following new subsection (a):

23 “(a)(1) Except as provided in subsection (b), the Sec-
24 retary shall conduct an annual compliance survey of edu-
25 cational institutions and training establishments offering

1 one or more courses approved for the enrollment of eligible
2 veterans or persons if at least 20 such veterans or persons
3 are enrolled in any such course. The Secretary shall—

4 “(A) design the compliance surveys to ensure
5 that such institutions or establishments, as the case
6 may be, and approved courses are in compliance
7 with all applicable provisions of chapters 30 through
8 36 of this title;

9 “(B) survey each such educational institution
10 and training establishment not less than once during
11 every two-year period; and

12 “(C) assign not fewer than one education com-
13 pliance specialist to work on compliance surveys in
14 any year for each 40 compliance surveys required to
15 be made under this section for such year.

16 “(2) The Secretary, in consultation with the State ap-
17 proving agencies, shall—

18 “(A) annually determine the parameters of the
19 surveys required under paragraph (1); and

20 “(B) not later than September 1 of each year,
21 make available to the State approving agencies a list
22 of the educational institutions and training estab-
23 lishments that will be surveyed during the fiscal year
24 following the date of making such list available.”;
25 and

1 (2) by adding at the end the following new sub-
2 section:

3 “(c) In this section, the terms ‘educational institu-
4 tion’ and ‘training establishment’ have the meaning given
5 such terms in section 3452 of this title.”.

6 (b) CONFORMING AMENDMENTS.—Subsection (b) of
7 such section is amended—

8 (1) by striking “subsection (a) of this section
9 for an annual compliance survey” and inserting
10 “subsection (a)(1) for a compliance survey”;

11 (2) by striking “institution” and inserting
12 “educational institution or training establishment”;
13 and

14 (3) by striking “institution’s demonstrated
15 record of compliance” and inserting “record of com-
16 pliance of such institution or establishment”.

○