

115TH CONGRESS
1ST SESSION

S. 1489

To amend section 3312 of title 38, United States Code, to restore Post-9/11 Educational Assistance and other relief for veterans affected by school closures, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 29, 2017

Mr. BLUMENTHAL (for himself, Mr. TILLIS, Mr. TESTER, Mr. HELLER, Mr. YOUNG, Mr. DURBIN, Mr. BROWN, Mr. CARPER, Mrs. MCCASKILL, Mr. MURPHY, Mr. REED, Ms. WARREN, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend section 3312 of title 38, United States Code, to restore Post-9/11 Educational Assistance and other relief for veterans affected by school closures, 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 Relief and Reinstatement Act of 2017”.

1 **SEC. 2. RESTORATION OF ENTITLEMENT TO POST-9/11 EDU-**
 2 **CATIONAL ASSISTANCE AND OTHER RELIEF**
 3 **FOR VETERANS AFFECTED BY SCHOOL CLO-**
 4 **SURE.**

5 (a) EDUCATIONAL ASSISTANCE.—

6 (1) IN GENERAL.—Section 3312 of title 38,
 7 United States Code, is amended by adding at the
 8 end the following new subsection:

9 “(d) DISCONTINUATION OF EDUCATION DUE TO
 10 SCHOOL CLOSURE.—

11 “(1) IN GENERAL.—Any payment of edu-
 12 cational assistance described in paragraph (2) shall
 13 not—

14 “(A) be charged against any entitlement to
 15 educational assistance of the individual con-
 16 cerned under this chapter; or

17 “(B) be counted against the aggregate pe-
 18 riod for which section 3695 of this title limits
 19 the individual’s receipt of educational assistance
 20 under this chapter.

21 “(2) DESCRIPTION OF PAYMENT OF EDU-
 22 CATIONAL ASSISTANCE.—Subject to paragraph (3),
 23 the payment of educational assistance described in
 24 this paragraph is the payment of such assistance to
 25 an individual for pursuit of a course or courses

1 under this chapter if the Secretary finds that the in-
2 dividual—

3 “(A) was forced to discontinue such course
4 pursuit as a result of a permanent school clo-
5 sure; and

6 “(B) did not receive credit, could not
7 transfer credits, or lost training time, toward
8 completion of the program of education being
9 pursued at the time of such closure.

10 “(3) PERIOD FOR WHICH PAYMENT NOT
11 CHARGED.—The period for which, by reason of this
12 subsection, educational assistance is not charged
13 against entitlement or counted toward the applicable
14 aggregate period under section 3695 of this title
15 shall not exceed the aggregate of—

16 “(A) the portion of the period of enroll-
17 ment in the course or courses from which the
18 individual failed to receive credit or could not
19 transfer credits, or with respect to which the in-
20 dividual lost training time, as determined under
21 paragraph (2)(B); and

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

1 (2) APPLICABILITY.—Subsection (d) of such
 2 section, as added by paragraph (1), shall apply with
 3 respect to courses and programs of education discon-
 4 tinued as described in subparagraph (A) or (B) of
 5 paragraph (2) of such subsection in fiscal year 2015
 6 or any fiscal year thereafter.

7 (b) MONTHLY HOUSING STIPEND.—

8 (1) IN GENERAL.—Section 3680(a) of such title
 9 is amended—

10 (A) by striking the matter after paragraph
 11 (3)(B);

12 (B) in paragraph (3), by redesignating
 13 subparagraphs (A) and (B) as clauses (i) and
 14 (ii), respectively;

15 (C) by redesignating paragraphs (1)
 16 through (3) as subparagraphs (A) through (C),
 17 respectively;

18 (D) in the matter before subparagraph
 19 (A), as redesignated, in the first sentence, by
 20 striking “Payment of” and inserting “(1) Ex-
 21 cept as provided in paragraph (2), payment of”;
 22 and

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

1 “(2) Notwithstanding paragraph (1), the Sec-
 2 retary may, pursuant to such regulations as the Sec-
 3 retary shall prescribe, continue to pay allowances to
 4 eligible veterans and eligible persons enrolled in
 5 courses set forth in paragraph (1)(A)—

6 “(A) during periods when schools are tem-
 7 porarily closed under an established policy
 8 based on an Executive order of the President or
 9 due to an emergency situation, except that the
 10 total number of weeks for which allowances
 11 may continue to be so payable in any 12-month
 12 period may not exceed four weeks; or

13 “(B) solely for the purpose of awarding a
 14 monthly housing stipend described in section
 15 3313 of this title, during periods following a
 16 permanent school closure, except that payment
 17 of such a stipend may only be continued until
 18 the earlier of—

19 “(i) the date of the end of the term,
 20 quarter, or semester during which the
 21 school closure occurred; and

22 “(ii) the date that is four months
 23 after the date of the school closure.”.

24 (2) CONFORMING AMENDMENT.—Paragraph
 25 (1)(C)(ii) of such section, as redesignated, is amend-

- 1 ed by striking “described in subclause (A) of this
- 2 clause” and inserting “described in clause (i)”.

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