

[DISCUSSION DRAFT]

116TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend title 38, United States Code, to make certain improvements to the educational assistance programs of the Department of Veterans Affairs with respect to flight training programs and certain other programs of education, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

M. \_\_\_\_\_ introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title 38, United States Code, to make certain improvements to the educational assistance programs of the Department of Veterans Affairs with respect to flight training programs and certain other programs of education, 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  
5 “\_\_\_\_\_ Act of 2019”.

1 **SEC. 2. IMPROVEMENTS TO ASSISTANCE FOR CERTAIN**  
2 **FLIGHT TRAINING AND OTHER PROGRAMS**  
3 **OF EDUCATION.**

4 (a) USE OF ENTITLEMENT FOR PRIVATE PILOT'S LI-  
5 CENSES.—Section 3034(d) of title 38, United States Code,  
6 is amended—

7 (1) in paragraph (1) by striking the semicolon  
8 and inserting the following: “and is required for the  
9 course of education being pursued (including with  
10 respect to a dual major, concentration, or other ele-  
11 ment of a degree); and”;

12 (2) by striking paragraph (2); and

13 (3) by redesignating paragraph (3) as para-  
14 graph (2).

15 (b) ACCELERATED PAYMENTS FOR FLIGHT TRAIN-  
16 ING.—Section 3313 of such title is amended by adding  
17 at the end the following new subsection:

18 “(k) ACCELERATED PAYMENTS FOR CERTAIN  
19 FLIGHT TRAINING.—

20 “(1) PAYMENTS.—An individual enrolled in a  
21 program of education pursued at a vocational school  
22 or institution of higher learning in which flight  
23 training is required to earn the degree being pursued  
24 (including with respect to a dual major, concentra-  
25 tion, or other element of such a degree) may elect  
26 to receive accelerated payments of amounts for tui-

1       tion and fees determined under subsection (c). The  
2       amount of each accelerated payment shall be an  
3       amount equal to twice the amount for tuition and  
4       fee so determined under such subsection, but the  
5       total amount of such payments may not exceed the  
6       total amount of tuition and fees for the program of  
7       education. The amount of monthly stipends shall be  
8       determined in accordance with such subsection (c)  
9       and may not be accelerated under this paragraph.

10       “(2) EDUCATIONAL COUNSELING.—An indi-  
11       vidual may make an election under paragraph (1)  
12       only if the individual receives educational counseling  
13       under section 3697A(a) of this title.

14       “(3) CHARGE AGAINST ENTITLEMENT.—The  
15       number of months of entitlement charged an indi-  
16       vidual for accelerated payments made pursuant to  
17       paragraph (1) shall be determined at the rate of two  
18       months for each month in which such an accelerated  
19       payment is made.”.

20       (c) FLIGHT TRAINING AT PUBLIC INSTITUTIONS.—  
21       Subsection (c)(1)(A) of such section 3313 is amended—

22       (1) in clause (i)—

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

1 (B) by striking “In the case of a program  
2 of education pursued at a public institution of  
3 higher learning” and inserting “(I) Subject to  
4 subclause (II), in the case of a program of edu-  
5 cation pursued at a public institution of higher  
6 learning not described in clause (ii)(II)(bb)”;  
7 and

8 (C) by adding at the end the following new  
9 subclause:

10 “(II) In determining the actual net  
11 cost for in-State tuition and fees pursuant  
12 to subclause (I), the Secretary may not  
13 pay for tuition and fees relating to flight  
14 training.”; and

15 (2) in clause (ii)—

16 (A) in subclause (I), by redesignating  
17 items (aa) and (bb) as subitems (AA) and  
18 (BB), respectively;

19 (B) in subclause (II), by redesignating  
20 items (aa) and (bb) as subitems (AA) and  
21 (BB), respectively;

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

24 (D) by striking “In the case of a program  
25 of education pursued at a non-public or foreign

1 institution of higher learning” and inserting  
2 “(I) In the case of a program of education de-  
3 scribed in subclause (II)”;

4 (E) by adding at the end the following new  
5 subclause:

6 “(II) A program of education de-  
7 scribed in this subclause is any of the fol-  
8 lowing:

9 “(aa) A program of education  
10 pursued at a non-public or foreign in-  
11 stitution of higher learning.

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

19 (d) CERTAIN PROGRAMS OF EDUCATION CARRIED  
20 OUT UNDER CONTRACT.—Section 3313(c)(1)(A)(ii)(II) of  
21 title 38, United States Code, as added by subsection  
22 (c)(2)(E), is amended by adding at the end the following  
23 new item:

24 “(cc) A program of education  
25 pursued at a public institution of

1 higher learning in which the public in-  
2 stitution of higher learning enters into  
3 a contract or agreement with an enti-  
4 ty (other than another public institu-  
5 tion of higher learning) to provide  
6 such program of education or a por-  
7 tion of such program of education.”.

8 (e) APPLICATION.—

9 (1) IN GENERAL.—Except as provided by para-  
10 graph (2), the amendments made by this section  
11 shall apply with respect to a quarter, semester, or  
12 term, as applicable, commencing on or after the date  
13 of the enactment of this Act.

14 (2) SPECIAL RULE FOR CURRENT STUDENTS.—  
15 In the case of an individual who, as of the date of  
16 the enactment of this Act, is using educational as-  
17 sistance under chapter 33 of title 38, United States  
18 Code, to pursue a course of education that includes  
19 a program of education described in item (bb) or  
20 (cc) of section 3313(c)(1)(A)(ii)(II) of title 38,  
21 United States Code, as added by subsections (c) and  
22 (d), respectively, the amendment made by such sub-  
23 section shall apply with respect to a quarter, semes-  
24 ter, or term, as applicable, commencing on or after

- 1 the date that is two years after the date of the en-
- 2 actment of this Act.