

116TH CONGRESS
2D SESSION

H. R. 6322

To make certain improvements in the educational assistance benefits under the laws administered by the Secretary of Veterans Affairs in the case of changes to courses of education by reason of emergency situations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2020

Mr. TAKANO (for himself, Mr. DAVID P. ROE of Tennessee, Mr. CASTRO of Texas, Ms. BLUNT ROCHESTER, Ms. BROWNLEY of California, Ms. NORTON, Mr. RUSH, Mrs. BUSTOS, Mr. CARBAJAL, Mr. PETERS, Mr. SCHNEIDER, Mr. CROW, Mr. PAPPAS, Mr. CISNEROS, Mr. THOMPSON of California, Mr. SMITH of Washington, Mr. ALLRED, Mrs. LEE of Nevada, Mr. PANETTA, Ms. JAYAPAL, Mr. CÁRDENAS, Mr. LAMBORN, Mr. GOLDEN, Mr. NEGUSE, Mr. SABLAN, Mr. CUNNINGHAM, Miss RICE of New York, and Mr. LEVIN of California) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To make certain improvements in the educational assistance benefits under the laws administered by the Secretary of Veterans Affairs in the case of changes to courses of education by reason of emergency situations, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Student Veteran
3 Coronavirus Response Act of 2020”.

4 **SEC. 2. PAYMENT OF WORK-STUDY ALLOWANCES DURING**
5 **EMERGENCY SITUATIONS.**

6 Section 3485 of title 38, United States Code, is
7 amended by adding at the end the following new sub-
8 section:

9 “(f)(1) In case of an individual who is in receipt of
10 work-study allowance pursuant to an agreement described
11 in subsection (a)(3) as of the date on which an emergency
12 situation occurs and who is unable to continue to perform
13 qualifying work-study activities described in subsection
14 (a)(4) by reason of the emergency situation—

15 “(A) the Secretary may continue to pay work-
16 study allowance under this section or make deduc-
17 tions described in subsection (e)(1) during the pe-
18 riod of such emergency situation, notwithstanding
19 the inability of the individual to perform such work-
20 study activities by reason of such emergency situa-
21 tion; and

22 “(B) at the option of the individual, the Sec-
23 retary shall extend the agreement described in sub-
24 section (a)(3) with the individual for any subsequent
25 period of enrollment initiated during the emergency
26 situation, notwithstanding the inability of the indi-

vidual to perform work-study activities described in subsection (a)(4) by reason of such emergency situation.

“(2) The amount of work-study allowance payable to an individual under paragraph (1)(A) during the period of an emergency situation shall be an amount determined by the Secretary but may not exceed the amount that would be payable under subsection (a)(2) if the individual worked 25 hours per week paid during such period.”.

SEC. 3. PAYMENT OF ALLOWANCES TO VETERANS ENROLLED IN EDUCATIONAL INSTITUTIONS CLOSED FOR EMERGENCY SITUATIONS.

(a) TEMPORARY PROVISION.—

(1) IN GENERAL.—During the period beginning on March 1, 2020, and ending on December 21, 2020, the Secretary may pay allowances to an eligible veteran or eligible person under section 3680(a)(2)(A) of title 38, United States Code, if the veteran or person is enrolled in a program or course of education that—

(A) is provided by an educational institution that is closed by reason of an emergency situation; or

(B) is suspended by reason of an emergency situation.

1 (2) AMOUNT OF ALLOWANCE.—The total num-
2 ber of weeks for which allowances may be paid under
3 this section may not exceed four weeks.

4 (3) NOT COUNTED FOR PURPOSES OF LIMITA-
5 TION.—Any amount paid under this section shall not
6 be counted for purposes of the limitation on
7 allowanced under section 3680(a)(2)(A) of title 38,
8 United States Code.

9 (b) PERMANENT PROVISION.—Section 3680(a)(2) of
10 title 38, United States Code, is amended—

11 (1) in subparagraph (A), by striking “12-
12 month” and inserting “six-month”; and

13 (2) in subparagraph (B)—

14 (A) by striking “or following” and insert-
15 ing “during periods following”; and

16 (B) by inserting after “section
17 3699(b)(1)(B) of this title,” the following: “, or
18 during periods when a course of study or pro-
19 gram of education is temporarily closed or ter-
20 minated by reason of an emergency situation,”.

1 **SEC. 4. PROHIBITION OF CHARGE TO ENTITLEMENT OF**
2 **STUDENTS UNABLE TO PURSUE A PROGRAM**
3 **OF EDUCATION DUE TO AN EMERGENCY SIT-**
4 **UATION.**

5 Section 3699(b)(1) of title 38, United States Code,
6 is amended—

7 (1) in subparagraph (A), by striking “or” at
8 the end;

9 (2) in subparagraph (B)(ii), by striking “and”
10 at the end and inserting “or” ; and

11 (3) by adding at the end the following new sub-
12 paragraph:

13 “(C) the temporary closure of an edu-
14 cational institution or the temporary closure or
15 termination of a course or program of education
16 by reason of an emergency situation; and”.

17 **SEC. 5. EXTENSION OF TIME LIMITATIONS FOR USE OF EN-**
18 **TITLEMENT.**

19 (a) MONTGOMERY GI BILL.—Section 3031 of title
20 38, United States Code, is amended by adding at the end
21 the following new subsection:

22 “(i) In the case of an individual eligible for edu-
23 cational assistance under this chapter who is prevented
24 from pursuing the individual’s chosen program of edu-
25 cation before the expiration of the 10-year period for the
26 use of entitlement under this chapter otherwise applicable

1 under this section because the educational institution
2 closed (temporarily or permanently) under an established
3 policy based on an Executive order of the President or
4 due to an emergency situation, such 10-year period—

5 “(1) shall not run during the period the indi-
6 vidual is so prevented from pursuing such program;
7 and

8 “(2) shall again begin running on the first day
9 after the individual is able to resume pursuit of a
10 program of education with educational assistance
11 under this chapter.”.

12 (b) POST-9/11 EDUCATIONAL ASSISTANCE.—

13 (1) IN GENERAL.—Section 3321(b)(1) of such
14 title is amended—

15 (A) by inserting “(A)” before “Sub-
16 sections”;

17 (B) by striking “and (d)” and inserting
18 “(d), and (i)”; and by adding at the end the fol-
19 lowing new subparagraph:

20 “(B) Subsection (i) of section 3031 shall apply
21 with respect to the running of the 15-year period de-
22 scribed in paragraphs (4)(A) and (5)(A) of this sub-
23 section in the same manner as such subsection ap-
24 plies under section 3031 with respect to the running
25 of the 10-year period described in section 3031(a).”.

1 (2) TRANSFER PERIOD.—Section 3319(h)(5) is
2 amended—

3 (A) in subparagraph (A) by inserting “or
4 (C)” after “subparagraph (B)”; and

5 (B) by adding at the end the following new
6 subparagraph:

7 “(C) EMERGENCY SITUATIONS.—In any
8 case in which the Secretary determines that an
9 individual to whom entitlement is transferred
10 under this section has been prevented from pur-
11 suing the individual’s chosen program of edu-
12 cation before the individual attains the age of
13 26 years because the educational institution
14 closed (temporarily or permanently) under an
15 established policy based on an Executive order
16 of the President or due to an emergency situa-
17 tion, the Secretary shall extend the period dur-
18 ing which the individual may use such entitle-
19 ment for a period equal to the number of
20 months that the individual was so prevented
21 from pursuing the program of education, as de-
22 termined by the Secretary.”.

23 (c) VOCATIONAL REHABILITATION AND TRAINING.—

24 (1) PERIOD FOR USE.—Section 3103 of such
25 title is amended—

1 (A) in subsection (a), by striking “or (e)”
2 and inserting “(e), or (g)”; and

3 (B) by adding at the end the following new
4 subsection:

5 “(g) In any case in which the Secretary determines
6 that a veteran has been prevented from participating in
7 a vocational rehabilitation program under this chapter
8 within the twelve-year period of eligibility prescribed in
9 subsection (a) by reason of an Executive order of the
10 President or due to an emergency situation, such twelve-
11 year period—

12 “(1) shall not run during the period the indi-
13 vidual is so prevented from participating such pro-
14 gram; and

15 “(2) shall again begin running on the first day
16 after the individual is able to resume participation in
17 such program.”.

18 (2) DURATION OF PROGRAM.—Section 3105(b)
19 of such title is amended—

20 (A) in paragraph (1), by striking “para-
21 graph (2)” and inserting “paragraphs (2) and
22 (3)”; and

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

1 “(3)(A) In any case in which the Secretary deter-
2 mines that a veteran has been prevented from partici-
3 pating in counseling and placement and postplacement
4 services described in section 3104(a)(2) and (5) of this
5 title by reason of an Executive order of the President or
6 due to an emergency situation, the Secretary shall extend
7 the period during which the Secretary may provide such
8 counseling and placement and postplacement services for
9 the veteran for a period equal to the number of months
10 that the veteran was so prevented from participating in
11 such counseling and services, as determined by the Sec-
12 retary.

13 “(B) In any case in which the Secretary determines
14 that a veteran has been prevented from participating in
15 a vocational rehabilitation program under this chapter by
16 reason of an Executive order of the President or due to
17 an emergency situation, the Secretary shall extend the pe-
18 riod of the veteran’s vocational rehabilitation program for
19 a period equal to the number of months that the veteran
20 was so prevented from participating in the vocational re-
21 habilitation program, as determined by the Secretary.”.

22 (d) EDUCATIONAL ASSISTANCE FOR MEMBERS OF
23 THE SELECTED RESERVE.—Section 16133(b) of title 10,
24 United States Code, is amended by adding at the end the
25 following new paragraph:

1 “(5) In any case in which the Secretary concerned
 2 determines that a person entitled to educational assistance
 3 under this chapter has been prevented from using such
 4 person’s entitlement by reason of an Executive order of
 5 the President or due to an emergency situation, the Sec-
 6 retary concerned shall extend the period of entitlement
 7 prescribed in subsection (a) for a period equal to the num-
 8 ber of months that the person was so prevented from using
 9 such entitlement, as determined by the Secretary.”.

10 **SEC. 6. RESTORATION OF ENTITLEMENT TO REHABILITA-**
 11 **TION PROGRAMS FOR VETERANS AFFECTED**
 12 **BY SCHOOL CLOSURE OR DISAPPROVAL.**

13 (a) ENTITLEMENT.—Section 3699 of title 38, United
 14 States Code, is amended by striking “chapter 30,” each
 15 time it appears and inserting “chapter 30, 31,”.

16 (b) PAYMENT OF SUBSISTENCE ALLOWANCES.—Sec-
 17 tion 3680(a)(2)(B) of title 38, United States Code, is
 18 amended—

19 (1) by inserting “or a subsistence allowance de-
 20 scribed in section 3108” before “, during”; and

21 (2) by inserting “or allowance” after “such a
 22 stipend”.

23 (c) EFFECTIVE DATE.—The amendments made by
 24 this section shall apply as if included in the enactment
 25 of section 109 of the Harry W. Colmery Veterans Edu-

1 cational Assistance Act of 2017 (Public Law 115–48; 131
2 Stat. 978).

3 **SEC. 7. EXTENSION OF PAYMENT OF VOCATIONAL REHA-**
4 **BILITATION SUBSISTENCE ALLOWANCES.**

5 In the case of any veteran who the Secretary of Vet-
6 erans Affairs determines is satisfactorily following a pro-
7 gram of employment services provided under section
8 3104(a)(5) of title 38, United States Code, during period
9 beginning on March 1, 2020, and ending on December 21,
10 2020, the Secretary may pay the veteran a subsistence al-
11 lowance, as prescribed in section 3108 of such title for
12 full-time training for the type of program that the veteran
13 was pursuing, for two additional months.”.

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