

## [DISCUSSION DRAFT]

116TH CONGRESS  
2D SESSION

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

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.

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### IN THE HOUSE OF REPRESENTATIVES

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

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## 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,*

3 **SECTION 1. SHORT TITLE.**

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

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

3       Section 3485 of title 38, United States Code, is  
4 amended by adding at the end the following new sub-  
5 section:

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

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

19           “(B) at the option of the individual, the Sec-  
20 retary shall extend the agreement described in sub-  
21 section (a)(3) with the individual for any subsequent  
22 period of enrollment initiated during the emergency  
23 situation, notwithstanding the inability of the indi-  
24 vidual to perform work-study activities described in  
25 subsection (a)(4) by reason of such emergency situa-  
26 tion.

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

7 **SEC. 3. PAYMENT OF ALLOWANCES TO VETERANS EN-**  
8 **ROLLED IN EDUCATIONAL INSTITUTIONS**  
9 **CLOSED FOR EMERGENCY SITUATIONS.**

10 (a) TEMPORARY PROVISION.—

11 (1) IN GENERAL.—During the period beginning  
12 on March 1, 2020, and ending on December 21,  
13 2020, the Secretary may pay allowances to an eligi-  
14 ble veteran or eligible person under section  
15 3680(a)(2)(A) of title 38, United States Code, if the  
16 veteran or person is enrolled in a program or course  
17 of education that—

18 (A) is provided by an educational institu-  
19 tion that is closed by reason of an emergency  
20 situation; or

21 (B) is suspended by reason of an emer-  
22 gency situation.

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

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

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

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

10 (2) in subparagraph (B)—

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

13 (B) by inserting after “section  
14 3699(b)(1)(B) of this title,” the following: “, or  
15 during periods when a course of study or pro-  
16 gram of education is temporarily closed or ter-  
17 minated by reason of an emergency situation,”.

18 **SEC. 4. PROHIBITION OF CHARGE TO ENTITLEMENT OF**  
19 **STUDENTS UNABLE TO PURSUE A PROGRAM**  
20 **OF EDUCATION DUE TO AN EMERGENCY SIT-**  
21 **UATION.**

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

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

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

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

5 “(C) the temporary closure of an edu-  
6 cational institution or the temporary closure or  
7 termination of a course or program of education  
8 by reason of an emergency situation; and”.

9 **SEC. 5. EXTENSION OF TIME LIMITATIONS FOR USE OF EN-**  
10 **TITLEMENT.**

11 (a) MONTGOMERY GI BILL.—Section 3031 of title  
12 38, United States Code, is amended by adding at the end  
13 the following new subsection:

14 “(i) In the case of an individual eligible for edu-  
15 cational assistance under this chapter who is prevented  
16 from pursuing the individual’s chosen program of edu-  
17 cation before the expiration of the 10-year period for the  
18 use of entitlement under this chapter otherwise applicable  
19 under this section because the educational institution  
20 closed (temporarily or permanently) under an established  
21 policy based on an Executive order of the President or  
22 due to an emergency situation, such 10-year period—

23 “(1) shall not run during the period the indi-  
24 vidual is so prevented from pursuing such program;  
25 and

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

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

6 (1) IN GENERAL.—Section 3321(b)(1) of such  
7 title is amended—

8 (A) by inserting “(A)” before “Sub-  
9 sections”;

10 (B) by striking “and (d)” and inserting  
11 “(d), and (i)”; and by adding at the end the fol-  
12 lowing new subparagraph:

13 “(B) Subsection (i) of section 3031 shall apply  
14 with respect to the running of the 15-year period de-  
15 scribed in paragraphs (4)(A) and (5)(A) of this sub-  
16 section in the same manner as such subsection ap-  
17 plies under section 3031 with respect to the running  
18 of the 10-year period described in section 3031(a).”.

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

21 (A) in subparagraph (A) by inserting “or  
22 (C)” after “subparagraph (B)”; and

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

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

17          (c) VOCATIONAL REHABILITATION AND TRAINING.—

18           (1) PERIOD FOR USE.—Section 3103 of such  
19          title is amended—

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

22           (B) by adding at the end the following new  
23          subsection:

24          “(g) In any case in which the Secretary determines  
25          that a veteran has been prevented from participating in

1 a vocational rehabilitation program under this chapter  
2 within the twelve-year period of eligibility prescribed in  
3 subsection (a) by reason of an Executive order of the  
4 President or due to an emergency situation, such twelve-  
5 year period—

6 “(1) shall not run during the period the indi-  
7 vidual is so prevented from participating such pro-  
8 gram; and

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

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

14 (A) in paragraph (1), by striking “para-  
15 graph (2)” and inserting “paragraphs (2) and  
16 (3)”; and

17 (B) by adding at the end the following new  
18 paragraph:

19 “(3)(A) In any case in which the Secretary deter-  
20 mines that a veteran has been prevented from partici-  
21 pating in counseling and placement and postplacement  
22 services described in section 3104(a)(2) and (5) of this  
23 title by reason of an Executive order of the President or  
24 due to an emergency situation, the Secretary shall extend  
25 the period during which the Secretary may provide such



1 counseling and placement and postplacement services for  
2 the veteran for a period equal to the number of months  
3 that the veteran was so prevented from participating in  
4 such counseling and services, as determined by the Sec-  
5 retary.

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

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

19 “(5) In any case in which the Secretary concerned  
20 determines that a person entitled to educational assistance  
21 under this chapter has been prevented from using such  
22 person’s entitlement by reason of an Executive order of  
23 the President or due to an emergency situation, the Sec-  
24 retary concerned shall extend the period of entitlement  
25 prescribed in subsection (a) for a period equal to the num-

1 ber of months that the person was so prevented from using  
2 such entitlement, as determined by the Secretary.”.

3 **SEC. 6. RESTORATION OF ENTITLEMENT TO REHABILITA-**  
4 **TION PROGRAMS FOR VETERANS AFFECTED**  
5 **BY SCHOOL CLOSURE OR DISAPPROVAL.**

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

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

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

14 (2) by inserting “or allowance” after “such a  
15 stipend”.

16 (c) EFFECTIVE DATE.—The amendments made by  
17 this section shall apply as if included in the enactment  
18 of section 109 of the Harry W. Colmery Veterans Edu-  
19 cational Assistance Act of 2017 (Public Law 115–48; 131  
20 Stat. 978).

21 **SEC. 7. EXTENSION OF PAYMENT OF VOCATIONAL REHA-**  
22 **BILITATION SUBSISTENCE ALLOWANCES.**

23 In the case of any veteran who the Secretary of Vet-  
24 erans Affairs determines is satisfactorily following a pro-  
25 gram of employment services provided under section

1 3104(a)(5) of title 38, United States Code, during period  
2 beginning on March 1, 2020, and ending on December 21,  
3 2020, the Secretary may pay the veteran a subsistence al-  
4 lowance, as prescribed in section 3108 of such title for  
5 full-time training for the type of program that the veteran  
6 was pursuing, for two additional months.”.