

117TH CONGRESS
1ST SESSION

S. _____

To require the Secretary of Veterans Affairs to improve how the Department of Veterans Affairs discloses to individuals entitled to educational assistance from the Department risks associated with using such assistance at particular educational institutions and to restore entitlement of students to such assistance who are pursuing programs of education at educational institutions that are subject to Federal or State civil enforcement action, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. SCHATZ (for himself, Mr. ROUNDS, Mr. PORTMAN, and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require the Secretary of Veterans Affairs to improve how the Department of Veterans Affairs discloses to individuals entitled to educational assistance from the Department risks associated with using such assistance at particular educational institutions and to restore entitlement of students to such assistance who are pursuing programs of education at educational institutions that are subject to Federal or State civil enforcement action, 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 Veterans
3 Transparency and Protection Act of 2021”.

4 **SEC. 2. IMPROVING TRANSPARENCY AND ACCOUNTABILITY**
5 **OF EDUCATIONAL INSTITUTIONS FOR PUR-**
6 **POSES OF VETERANS EDUCATIONAL ASSIST-**
7 **ANCE.**

8 (a) **REQUIREMENT RELATING TO G.I. BILL COM-**
9 **PARISON TOOL.—**

10 (1) **REQUIREMENT TO MAINTAIN TOOL.—**The
11 Secretary of Veterans Affairs shall maintain the G.I.
12 Bill Comparison Tool that was established pursuant
13 to Executive Order 13607 (77 Fed. Reg. 25861; re-
14 lating to establishing principles of excellence for edu-
15 cational institutions serving service members, vet-
16 erans, spouses, and other family members) and in
17 effect on the day before the date of the enactment
18 of this Act, or successor tool, to provide relevant and
19 timely information about programs of education ap-
20 proved under chapter 36 of title 38, United States
21 Code, and the educational institutions that offer
22 such programs.

23 (2) **DATA RETENTION.—**The Secretary shall en-
24 sure that historical data that is reported via the tool
25 maintained under paragraph (1) remains easily and
26 prominently accessible on the benefits.va.gov website,

1 or successor website, for a period of not less than
2 seven years from the date of initial publication.

3 (b) PROVIDING TIMELY AND RELEVANT EDUCATION
4 INFORMATION TO VETERANS, MEMBERS OF THE ARMED
5 FORCES, AND OTHER INDIVIDUALS.—

6 (1) IN GENERAL.—Not later than one year
7 after the date of the enactment of this Act, the Sec-
8 retary of Veterans Affairs, in coordination with the
9 Secretary of Education, shall make such changes to
10 the tool maintained under subsection (a) as the Sec-
11 retary determines appropriate to ensure that such
12 tool is an effective and efficient method for providing
13 information pursuant to section 3698(b)(5) of title
14 38, United States Code.

15 (2) MODIFICATION OF SCOPE OF COMPREHEN-
16 SIVE POLICY ON PROVIDING EDUCATION INFORMA-
17 TION.—Section 3698 of title 38, United States Code,
18 is amended—

19 (A) in subsection (a), by striking “veterans
20 and members of the Armed Forces” and insert-
21 ing “individuals entitled to educational assist-
22 ance under laws administered by the Secretary
23 of Veterans Affairs”; and

24 (B) in subsection (b)(5)—

1 (i) by striking “veterans and members
2 of the Armed Forces” and inserting “indi-
3 viduals described in subsection (a)”; and

4 (ii) by striking “the veteran or mem-
5 ber” and inserting “the individual”.

6 (3) G.I. BILL COMPARISON TOOL REQUIRED
7 DISCLOSURES.—Paragraph (1) of subsection (c) of
8 such section is amended—

9 (A) by striking subparagraph (B) and in-
10 sserting the following:

11 “(B) for each individual described in subsection
12 (a) seeking information provided under subsection
13 (b)(5)—

14 “(i) the name of each Federal student aid
15 program, and a description of each such pro-
16 gram, from which the individual may receive
17 educational assistance; and

18 “(ii) for each program named and de-
19 scribed pursuant to clause (i), the amount of
20 educational assistance that the individual may
21 be eligible to receive under the program; and”;
22 and

23 (B) in subparagraph (C)—

1 (i) in clause (i), by inserting “and a
2 definition of each type of institution” be-
3 fore the semicolon;

4 (ii) by striking clause (v) and insert-
5 ing the following:

6 “(v) the average total cost, the average tui-
7 tion, the average cost of room and board, the
8 average cost and the average fees to earn a cer-
9 tificate, and associate’s degree, a bachelor’s de-
10 gree, a postdoctoral degree, and any other de-
11 gree or credential the institution awards;”;

12 (iii) in clause (xii), by striking the pe-
13 riod at the end and inserting a semicolon;
14 and

15 (iv) by adding at the end the following
16 new clauses:

17 “(xiii) program, degree, and certificate
18 completion rates, disaggregated by individuals
19 who are veterans, individuals who are members
20 of the Armed Forces, and individuals who are
21 neither veterans nor members of the Armed
22 Forces;

23 “(xiv) transfer-out rates, disaggregated by
24 individuals who are veterans, individuals who
25 are members of the Armed Forces, and individ-

1 uals who are neither veterans nor members of
2 the Armed Forces;

3 “(xv) credentials available and the average
4 time for completion of each credential;

5 “(xvi) employment rate and median income
6 of graduates of the institution in general,
7 disaggregated by—

8 “(I) specific credential;

9 “(II) individuals who are veterans;

10 “(III) individuals who are members of
11 the Armed Forces; and

12 “(IV) individuals who are neither vet-
13 erans nor members of the Armed Forces;

14 “(xvii) percentage of individuals who re-
15 ceived educational assistance under this title to
16 pursue a program of education at the institu-
17 tion who did not earn a credential within six
18 years of commencing such program of edu-
19 cation;

20 “(xviii) the median amount of debt in-
21 curred from a Federal student loan made, in-
22 sured, or guaranteed under title IV of the
23 Higher Education Act of 1965 (20 U.S.C. 1070
24 et seq.) by an individual who pursued a pro-
25 gram of education at the institution with edu-

1 cational assistance under this title,
2 disaggregated by—

3 “(I) individuals who received a cre-
4 dential and individuals who did not; and

5 “(II) individuals who are veterans, in-
6 dividuals who are members of the Armed
7 Forces, and individuals who are neither
8 veterans nor members of the Armed
9 Forces;

10 “(xix) whether the institution participates
11 in Federal student aid programs, and if so,
12 which programs;

13 “(xx) the average number of individuals
14 enrolled in the institution per year,
15 disaggregated by—

16 “(I) individuals who are veterans;

17 “(II) individuals who are members of
18 the Armed Forces; and

19 “(III) individuals who are neither vet-
20 erans nor members of the Armed Forces;
21 and

22 “(xxi) a list of each civil settlement or
23 finding resulting from a Federal or State action
24 in a court of competent jurisdiction against the
25 institution for violation of a provision of Fed-

1 eral or State law that materially affects the
2 education provided at the institution or is the
3 result of illicit activity, including deceptive mar-
4 keting or misinformation provided to prospec-
5 tive students or current enrollees.”.

6 (4) CLARITY OF INFORMATION PROVIDED.—

7 Paragraph (2) of such subsection is amended—

8 (A) by inserting “(A)” before “To the ex-
9 tent”; and

10 (B) by adding at the end the following new
11 subparagraph:

12 “(B) The Secretary shall ensure that information
13 provided under subsection (b)(5) is provided in a manner
14 that is easy and accessible to individuals described in sub-
15 section (a), especially with respect to information de-
16 scribed in paragraph (1)(C)(xxii).”.

17 (c) IMPROVEMENTS FOR STUDENT FEEDBACK.—

18 (1) IN GENERAL.—Subsection (b)(2) of such
19 section is amended—

20 (A) by amending subparagraph (A) to read
21 as follows:

22 “(A) providing institutions of higher learn-
23 ing up to 30-days to review and respond to any
24 feedback and address issues regarding the feed-
25 back before the feedback is published”;

1 (B) in subparagraph (B), by striking “;
2 and” and inserting a semicolon;

3 (C) in subparagraph (C), by striking the
4 period at the end and inserting a semicolon;
5 and

6 (D) by adding at the end the following new
7 subparagraphs:

8 “(D) for each institution of higher learning
9 that is approved under this chapter, retains,
10 maintains, and publishes all of such feedback
11 for the entire duration that the institution of
12 higher is approved under this chapter; and

13 “(E) is easily accessible to individuals de-
14 scribed in subsection (a) and to the general
15 public..”.

16 (2) ACCESSIBILITY FROM G.I. BILL COMPARISON
17 TOOL.—The Secretary shall ensure that—

18 (A) the feedback tracked and published
19 under subsection (b)(2) of such section, as
20 amended by paragraph (1), is prominently dis-
21 played in the tool maintained under subsection
22 (a) of this section; and

23 (B) when such tool displays information
24 for an institution of higher learning, the appli-

1 cable feedback is also displayed for such institu-
2 tion of higher learning.

3 (d) TRAINING FOR PROVISION OF EDUCATION COUN-
4 SELING SERVICES.—

5 (1) IN GENERAL.—Not less than one year after
6 the date of the enactment of this Act, the Secretary
7 shall ensure that personnel employed or contracted
8 by the Department of Veteran Affairs to provide
9 education benefits counseling, vocational or transi-
10 tion assistance, or similar functions, including em-
11 ployees or contractors of the Department who pro-
12 vide such counseling or assistance as part of the
13 Transition Assistance Program, are trained on
14 how—

15 (A) to use properly the tool maintained
16 under subsection (a); and

17 (B) to provide appropriate educational
18 counseling services to veterans, members of the
19 Armed Forces, and other individuals.

20 (2) TRANSITION ASSISTANCE PROGRAM DE-
21 FINED.—In this subsection, the term “Transition
22 Assistance Program” means the program of coun-
23 seling, information, and services under section 1142
24 of title 10, United States Code.

1 **SEC. 3. RESTORATION OF ENTITLEMENT TO VETERANS**
2 **EDUCATIONAL ASSISTANCE AND OTHER RE-**
3 **LIEF FOR VETERANS AFFECTED BY CIVIL EN-**
4 **FORCEMENT ACTIONS AGAINST EDU-**
5 **CATIONAL INSTITUTIONS.**

6 (a) **IN GENERAL.**—Section 3699(b)(1) of title 38,
7 United States Code, is amended—

8 (1) in subparagraph (A), by striking “; or” and
9 inserting a semicolon;

10 (2) in subparagraph (B)(ii), by striking “; and”
11 and inserting “; or”; and

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

14 “(C) a Federal or State civil enforcement
15 action against the education institution; or

16 “(D) an action taken by the Secretary;
17 and”.

18 (b) **MECHANISM.**—The Secretary of Veterans Affairs
19 shall establish a simple mechanism that can be used by
20 an individual described in subsection (b)(1) of section
21 3699 of such title by reason of subparagraph (C) or (D)
22 of such subsection, as added by subsection (a)(3) of this
23 section, to obtain relief under section 3699(a) of such title.

24 (c) **PARTIAL RESTORATION OF ENTITLEMENTS.**—
25 Subsection (a) of such section is amended—

1 (1) by redesignating paragraphs (1) and (2) as
2 subparagraphs (A) and (B), respectively;

3 (2) in the matter before subparagraph (A), as
4 redesignated by paragraph (1), by striking “Any
5 payment” and inserting “(1) Subject to paragraph
6 (2), any payment”; and

7 (3) by adding at the end the following new
8 paragraph (2):

9 “(2) A payment of educational assistance described
10 in subsection (b) by reason of subparagraph (C) or (D)
11 of paragraph (1) of such subsection may be charged
12 against the entitlement to educational assistance of the in-
13 dividual concerned—

14 “(A) if the individual requests such charge; and

15 “(B) to such percentage of charge as the indi-
16 vidual may specify, except that such percentage may
17 not be less than zero or more than 100.”.

18 (d) CONFORMING AMENDMENTS.—

19 (1) SECTION HEADING.—The heading for sec-
20 tion 3699 of such title is amended by striking “**or**
21 **disapproval of educational institution**”
22 and inserting “**of, disapproval of, or civil en-**
23 **forcement actions against educational in-**
24 **stitutions**”.

1 (2) SUBSECTION HEADING.—The heading for
2 subsection (a) of such section is amended by striking
3 “OR DISAPPROVAL” and inserting “, DISAPPROVAL,
4 CIVIL ENFORCEMENT ACTIONS, AND OTHER AC-
5 TIONS BY SECRETARY OF VETERANS AFFAIRS”.

6 (3) TABLE OF SECTIONS.—The table of sections
7 at the beginning of chapter 36 of such title is
8 amended by striking the item relating to section
9 3699 and inserting the following new item:

“3699. Effects of closure of, disapproval of, or civil enforcement actions against
educational institutions.”.