

115TH CONGRESS  
1ST SESSION

# H. R. 4149

To amend title 38, United States Code, to make certain improvements to the use of educational assistance provided by the Department of Veterans Affairs for flight training programs.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 26, 2017

Mr. WENSTRUP introduced the following bill; which was referred to the  
Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to make certain improvements to the use of educational assistance provided by the Department of Veterans Affairs for flight training programs.

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. IMPROVEMENTS TO ASSISTANCE PROVIDED**  
4 **FOR CERTAIN FLIGHT TRAINING AND OTHER**  
5 **PROGRAMS OF EDUCATION.**

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

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

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

7           (3) by redesignating paragraph (3) as para-  
8           graph (2).

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

12          “(k) ACCELERATED PAYMENTS FOR CERTAIN  
13          FLIGHT TRAINING.—

14                 “(1) PAYMENTS.—An individual enrolled in a  
15                 program of education pursued at an institution of  
16                 higher learning in which flight training is required  
17                 to earn the degree being pursued (including with re-  
18                 spect to a dual major, concentration, or other ele-  
19                 ment of such a degree) may elect to receive acceler-  
20                 ated payments of amounts for tuition and fees deter-  
21                 mined under subsection (c). The amount of each ac-  
22                 celerated payment shall be an amount equal to twice  
23                 the amount for tuition and fee so determined under  
24                 such subsection, but the total amount of such pay-  
25                 ments may not exceed the total amount of tuition

1 and fees for the program of education. The amount  
2 of monthly stipends shall be determined in accord-  
3 ance with such subsection (c) and may not be accel-  
4 erated under this paragraph.

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

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

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

17 (1) in clause (i)—

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

20 (B) by striking “In the case of a program  
21 of education pursued at a public institution of  
22 higher learning” and inserting “(I) Subject to  
23 subclause (II), in the case of a program of edu-  
24 cation pursued at a public institution of higher

1 learning not described in clause (ii)(II)(bb)”;  
2 and

3 (C) by adding at the end the following new  
4 subclause:

5 “(II) In determining the actual net  
6 cost for in-State tuition and fees pursuant  
7 to subclause (I), the Secretary may not  
8 pay for tuition and fees relating to flight  
9 training.”; and

10 (2) in clause (ii)—

11 (A) in subclause (I), by redesignating  
12 items (aa) and (bb) as subitems (AA) and  
13 (BB), respectively;

14 (B) in subclause (II), by redesignating  
15 items (aa) and (bb) as subitems (AA) and  
16 (BB), respectively;

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

19 (D) by striking “In the case of a program  
20 of education pursued at a non-public or foreign  
21 institution of higher learning” and inserting  
22 “(I) In the case of a program of education de-  
23 scribed in subclause (II)”; and

24 (E) by adding at the end the following new  
25 subclause:

1           “(II) A program of education de-  
2           scribed in this subclause is any of the fol-  
3           lowing:

4                   “(aa) A program of education  
5                   pursued at a non-public or foreign in-  
6                   stitution of higher learning.

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

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

19                   “(cc) A program of education  
20                   pursued at a public institution of  
21                   higher learning in which the public in-  
22                   stitution of higher learning enters into  
23                   a contract or agreement with an enti-  
24                   ty (other than another public institu-  
25                   tion of higher learning) to provide

1                   such program of education or a por-  
2                   tion of such program of education.”.

3           (e) APPLICATION.—

4                   (1) IN GENERAL.—Except as provided by para-  
5                   graph (2), the amendments made by this section  
6                   shall apply with respect to a quarter, semester, or  
7                   term, as applicable, commencing on or after the date  
8                   of the enactment of this Act.

9                   (2) SPECIAL RULE FOR CURRENT STUDENTS.—

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

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