

116TH CONGRESS  
1ST SESSION

# H. R. 5278

To amend title 38, United States Code, to extend the period under which an election must be made for entitlement to educational assistance under the All-Volunteer Educational Assistance Program of Department of Veterans Affairs, to phase out the use of such program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 3, 2019

Mr. BERGMAN (for himself and Miss RICE of New York) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on the Budget, 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

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## A BILL

To amend title 38, United States Code, to extend the period under which an election must be made for entitlement to educational assistance under the All-Volunteer Educational Assistance Program of Department of Veterans Affairs, to phase out the use of such program, 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 “GI Bill Planning Act  
3 of 2019”.

4 **SEC. 2. PERIOD FOR ELECTION TO RECEIVE BENEFITS**  
5 **UNDER ALL-VOLUNTEER EDUCATIONAL AS-**  
6 **SISTANCE PROGRAM OF DEPARTMENT OF**  
7 **VETERANS AFFAIRS.**

8 (a) **IN GENERAL.**—Section 3011 of title 38, United  
9 States Code, is amended—

10 (1) in subsection (c)(1), by striking “Any such  
11 election shall be made at the time the individual ini-  
12 tially enters on active duty as a member of the  
13 Armed Forces” and inserting “Any such election  
14 shall be made during the 90-day period beginning on  
15 the day that is 180 days after the date on which the  
16 individual initially enters initial training”; and

17 (2) in subsection (b)(1), by striking “that such  
18 individual is entitled to such pay” and inserting  
19 “that begin after the date that is 270 days after the  
20 date on which the individual initially enters initial  
21 training”.

22 (b) **EFFECTIVE DATE.**—The amendments made by  
23 subsection (a) shall take effect 180 days after the date  
24 of enactment of this Act.

1 **SEC. 3. PHASE OUT OF ALL-VOLUNTEER EDUCATIONAL AS-**  
2 **SISTANCE PROGRAM.**

3 Subsection (a)(1)(A) of section 3011 of title 38,  
4 United States Code, as amended by section 1, is further  
5 amended by striking “after June 30, 1985” and inserting  
6 “during the period beginning July 1, 1985, and ending  
7 September 30, 2029”.

8 **SEC. 4. REQUIREMENTS FOR IN-STATE TUITION.**

9 (a) IN GENERAL.—Section 3679(c) of title 38,  
10 United States Code, is amended—

11 (1) in paragraph (2)(A), by striking “less than  
12 three years before the date of enrollment in the  
13 course concerned”; and

14 (2) in paragraph (4)—

15 (A) by striking “It shall” and inserting  
16 “(A) It shall”; and

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

19 “(B) To the extent feasible, the Secretary shall make  
20 publicly available on the internet website of the Depart-  
21 ment a database explaining any requirements described in  
22 subparagraph (A) that are established by a public institu-  
23 tion of higher learning for an individual to be charged tui-  
24 tion and fees at a rate that is equal to or less than the  
25 rate the institution charges for tuition and fees for resi-  
26 dents of the State in which the institution is located. The

1 Secretary shall disapprove a course of education provided  
2 by such an institution that does not provide the Sec-  
3 retary—

4           “(i) an initial explanation of such requirements;  
5       and

6           “(ii) not later than 90 days after the date on  
7       which any such requirements change, the updated  
8       requirements.”.

9       (b) APPLICATION.—The amendments made by this  
10 section shall apply with respect to a quarter, semester, or  
11 term, as applicable, commencing on or after August 1,  
12 2020.

13 **SEC. 5. DETERMINATION OF BUDGETARY EFFECTS.**

14       The budgetary effects of this Act, for the purpose of  
15 complying with the Statutory Pay-As-You-Go Act of 2010,  
16 shall be determined by reference to the latest statement  
17 titled “Budgetary Effects of PAYGO Legislation” for this  
18 Act, submitted for printing in the Congressional Record  
19 by the Chairman of the House Budget Committee, pro-  
20 vided that such statement has been submitted prior to the  
21 vote on passage.

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