

S 3447

Post-9/11 Veterans Educational Assistance Improvements Act of 2010

Congress: 111 (2009–2011, Ended)

Chamber: Senate

Policy Area: Armed Forces and National Security

Introduced: May 27, 2010

Current Status: Became Public Law No: 111-377.

Latest Action: Became Public Law No: 111-377. (Jan 4, 2011)

Law: 111-377 (Enacted Jan 4, 2011)

Official Text: <https://www.congress.gov/bill/111th-congress/senate-bill/3447>

Sponsor

Name: Sen. Akaka, Daniel K. [D-HI]

Party: Democratic • **State:** HI • **Chamber:** Senate

Cosponsors (35 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Begich, Mark [D-AK]	D · AK		Jun 10, 2010
Sen. Stabenow, Debbie [D-MI]	D · MI		Jun 16, 2010
Sen. Udall, Tom [D-NM]	D · NM		Jul 29, 2010
Sen. Webb, Jim [D-VA]	D · VA		Jul 29, 2010
Sen. Murray, Patty [D-WA]	D · WA		Aug 3, 2010
Sen. Burr, Richard [R-NC]	R · NC		Sep 13, 2010
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Sep 13, 2010
Sen. McCaskill, Claire [D-MO]	D · MO		Sep 13, 2010
Sen. Merkley, Jeff [D-OR]	D · OR		Sep 13, 2010
Sen. Snowe, Olympia J. [R-ME]	R · ME		Sep 13, 2010
Sen. Tester, Jon [D-MT]	D · MT		Sep 13, 2010
Sen. Bennet, Michael F. [D-CO]	D · CO		Sep 15, 2010
Sen. Inouye, Daniel K. [D-HI]	D · HI		Sep 15, 2010
Sen. Sanders, Bernard [I-VT]	I · VT		Sep 15, 2010
Sen. Baucus, Max [D-MT]	D · MT		Sep 23, 2010
Sen. Burris, Roland [D-IL]	D · IL		Sep 23, 2010
Sen. Wyden, Ron [D-OR]	D · OR		Sep 23, 2010
Sen. Dodd, Christopher J. [D-CT]	D · CT		Sep 28, 2010
Sen. Johnson, Tim [D-SD]	D · SD		Sep 28, 2010
Sen. Schumer, Charles E. [D-NY]	D · NY		Sep 28, 2010
Sen. Boxer, Barbara [D-CA]	D · CA		Sep 29, 2010
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Sep 29, 2010
Sen. Kaufman, Edward E. [D-DE]	D · DE		Sep 29, 2010
Sen. Landrieu, Mary L. [D-LA]	D · LA		Sep 29, 2010
Sen. Lincoln, Blanche L. [D-AR]	D · AR		Sep 29, 2010
Sen. Murkowski, Lisa [R-AK]	R · AK		Sep 29, 2010
Sen. Rockefeller, John D., IV [D-WV]	D · WV		Sep 29, 2010
Sen. Bayh, Evan [D-IN]	D · IN		Nov 15, 2010
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Nov 15, 2010
Sen. Chambliss, Saxby [R-GA]	R · GA		Nov 15, 2010
Sen. Leahy, Patrick J. [D-VT]	D · VT		Nov 15, 2010
Sen. Menendez, Robert [D-NJ]	D · NJ		Nov 15, 2010
Sen. Shaheen, Jeanne [D-NH]	D · NH		Nov 18, 2010
Sen. Coons, Christopher A. [D-DE]	D · DE		Dec 9, 2010
Sen. Udall, Mark [D-CO]	D · CO		Dec 9, 2010

Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	House	Referred to	Dec 23, 2010
Budget Committee	House	Referred To	Dec 14, 2010
Veterans' Affairs Committee	Senate	Reported By	Oct 26, 2010
Veterans' Affairs Committee	House	Referred To	Dec 14, 2010

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
111 HR 6430	Related bill	Nov 18, 2010: Referred to the House Committee on Veterans' Affairs.
111 HR 5933	Related bill	Jul 30, 2010: Referred to the Subcommittee on Economic Opportunity.

(This measure has not been amended since it was passed by the Senate on December 13, 2010. The summary of that version is repeated here.)

Post-9/11 Veterans Educational Assistance Improvements Act of 2010 - Requires the budgetary effects of this Act to be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, provided that such statement has been submitted prior to the vote on passage.

Title I: Post-9/11 Veterans Educational Assistance - (Sec. 101) Includes within the definition of "active duty" for purposes for eligibility under the post-9/11 veterans educational assistance program (VEAP) of the Department of Veterans Affairs (VA) full-time service in the National Guard: (1) organizing, administering, recruiting, instructing, or training members of the National Guard; or (2) when authorized by the President or Secretary of Defense (DOD), for responding to a national emergency declared by the President and supported by federal funds. Makes such change retroactive as of August 1, 2009.

Includes One Station Unit training and "A" School training within basic training for VEAP eligibility purposes.

Requires, for VEAP purposes, service preceding any discharge or release from active duty to be characterized as honorable service.

Excludes from consideration as active-duty service for VEAP purposes any obligated service required in connection with attendance at the U.S. Coast Guard Academy.

(Sec. 102) Replaces the current system of limits on payments to institutions of higher education on behalf of veterans participating in VEAP with a two-tiered payment system, with one tier for payments to public institutions and another for payments to non-public or foreign institutions. Makes such system effective as of August 1, 2011.

Provides the monthly living allowance (stipend) under VEAP for: (1) more than half-time study in pursuit of a degree; (2) pursuing a program of education in a foreign country; and (3) more than half-time study solely by distance learning.

(Sec. 103) Provides an annual rate of assistance under VEAP for programs of education pursued while on active duty, using the same two-tiered system as above, as the lesser of \$17,500 or the actual net cost for in-state tuition and fees, less any waiver or reduction in such tuition and fees, scholarship, or other assistance that the individual may be eligible for. Allows a lump-sum quarterly payment for books, supplies, equipment, and associated educational costs, effective as of October 1, 2011.

(Sec. 104) Includes within authorized VEAP assistance for programs of education pursued on a half-time basis or less programs pursued while on active duty, programs leading to a degree, or programs other than degree programs. Makes the assistance amount limits under programs pursued on a half-time basis or less the same as the actual net cost limit described above (with the same reductions).

(Sec. 105) Removes the requirement that VEAP programs of education be offered only by institutions of higher learning.

Provides for the payment of VEAP assistance for the pursuit of programs other than degree programs, including for programs pursued on a half-time basis or less, resident training, distance learning, apprenticeships or other on-job training, flight training, or correspondence. Authorizes in most cases the payment of a monthly stipend similar to that paid to individuals enrolled in degree programs. Provides authorized charges against VEAP entitlement for the pursuit of such

programs.

(Sec. 106) Requires monthly housing stipends payable during an academic year to be determined using rates for basic allowance for housing payable as of January 1 of such calendar year.

(Sec. 107) Makes VEAP assistance available for payments for multiple career licensing or certification tests. Provides for charges against VEAP entitlement for such payments.

(Sec. 108) Makes an individual entitled to VEAP assistance also eligible for educational assistance for a national test: (1) for admission to an institution of higher learning; or (2) for obtaining course credit at such an institution. Provides authorized amounts for such assistance, as well as appropriate charges against VEAP entitlement.

(Sec. 109) Allows individuals who were entitled to increased educational assistance under VA programs to recruit or retain individuals with certain critical skills and who transfer to the VEAP program to continue to receive such increased assistance. Provides: (1) the monthly rate of such assistance; and (2) assistance funding.

(Sec. 110) Allows members of the Commissioned Corps of the Public Health Service and the National Oceanic and Atmospheric Administration (NOAA) who are eligible for VEAP assistance to transfer such assistance to their spouses and children. States as the purpose of the transferability of such assistance the promotion of military recruitment and retention, and allows the Secretary of the military department concerned to exercise such authority when authorized by the Secretary of Defense in the national security interest.

(Sec. 111) Prohibits dependents who are eligible for educational assistance as children of members who die in the line of duty after September 10, 2011, and also eligible as educational assistance transferees under one or more other VA programs from receiving concurrent payments. Includes within such other programs VA compensation, dependency and indemnity compensation, or pension based on the death of the child's parent. Bars also the concurrent receipt of transferred benefits based on: (1) the service of two different parents; and (2) a single event (such as accumulated active-duty service of a parent-veteran).

Title II: Other Educational Assistance Matters - (Sec. 201) Provides for an extension of delimiting dates for the use of educational assistance under both VEAP and the Montgomery GI Bill Educational Assistance Program in the case of individuals who could not pursue or had to interrupt a program of education in order to act as the primary caregiver for a veteran or servicemember who was or is seriously injured while on active duty on or after September 11, 2001. Allows the same extension in the case of transferees of VEAP assistance and those eligible for assistance under the Survivors' and Dependents' Educational Assistance Program.

(Sec. 202) Prohibits the concurrent receipt of assistance under the National Call to Service program and other federal programs of educational assistance.

(Sec. 203) Deems certain educational programs and courses as constructively approved for purposes of the use of VA educational assistance (thereby eliminating the need for their approval by state approving agencies) when such courses are approved by other federal entities for programs under their jurisdiction. Authorizes the VA Secretary to utilize the services of a state approving agency for compliance and oversight purposes without regard to whether such Secretary or such agency approved courses offered in the state concerned. Allows such Secretary to: (1) approve accredited programs offered by proprietary for-profit educational institutions; and (2) disapprove any state course not found to meet VA requirements.

(Sec. 204) Increases the amount of fees paid by the VA to participating educational institutions for providing information concerning an individual's enrollment in a program of education. Requires such institutions to use such fees solely for making such certifications or for otherwise supporting programs for veterans.

(Sec. 205) Provides an alternate subsistence allowance amount for veterans entitled to both VEAP assistance and VA vocational training and rehabilitation due to service-connected disabilities.

(Sec. 206) Reduces from eight to four weeks during any year the time between educational program enrollment periods during which VA interval payments are authorized.

Actions Timeline

- **Jan 4, 2011:** Signed by President.
- **Jan 4, 2011:** Became Public Law No: 111-377.
- **Dec 28, 2010:** Presented to President.
- **Dec 23, 2010:** Referred to the Subcommittee on Military Personnel.
- **Dec 16, 2010:** Considered as unfinished business. (consideration: CR H8544-8545)
- **Dec 16, 2010:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 409 - 3 (Roll no. 642).(text: CR 12/15/2010 H8456-8461)
- **Dec 16, 2010:** On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 409 - 3 (Roll no. 642). (text: CR 12/15/2010 H8456-8461)
- **Dec 16, 2010:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 16, 2010:** Cleared for White House.
- **Dec 15, 2010:** Mr. Filner moved to suspend the rules and pass the bill.
- **Dec 15, 2010:** Considered under suspension of the rules. (consideration: CR H8456-8466)
- **Dec 15, 2010:** DEBATE - The House proceeded with forty minutes of debate on S. 3447.
- **Dec 15, 2010:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Dec 14, 2010:** Message on Senate action sent to the House.
- **Dec 14, 2010:** Received in the House.
- **Dec 14, 2010:** Referred to the Committee on Veterans' Affairs, and in addition to the Committees on Armed Services, and 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.
- **Dec 14, 2010:** Referred to House Veterans' Affairs
- **Dec 14, 2010:** Referred to House Armed Services
- **Dec 14, 2010:** Referred to House Budget
- **Dec 13, 2010:** Measure laid before Senate by unanimous consent. (consideration: CR S8948-8960; text of measure as reported in Senate: CR S8948-8953)
- **Dec 13, 2010:** The committee substitute as amended agreed to by Unanimous Consent.
- **Dec 13, 2010:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(text: CR S8954-8960)
- **Dec 13, 2010:** Passed Senate with an amendment by Unanimous Consent. (text: CR S8954-8960)
- **Oct 26, 2010:** Committee on Veterans' Affairs. Reported by Senator Akaka under authority of the order of the Senate of 09/29/2010 with an amendment in the nature of a substitute. With written report No. 111-346.
- **Oct 26, 2010:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 638.
- **Aug 5, 2010:** Committee on Veterans' Affairs. Ordered to be reported without amendment favorably.
- **Jul 21, 2010:** Committee on Veterans' Affairs. Hearings held.
- **May 27, 2010:** Introduced in Senate
- **May 27, 2010:** Sponsor introductory remarks on measure. (CR S4547-4548)
- **May 27, 2010:** Read twice and referred to the Committee on Veterans' Affairs. (text of measure as introduced: CR S4548-4550)