

111TH CONGRESS  
1ST SESSION

# H. R. 228

To direct the Secretary of Veterans Affairs to establish a scholarship program for students seeking a degree or certificate in the areas of visual impairment and orientation and mobility.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2009

Ms. JACKSON-LEE of Texas introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To direct the Secretary of Veterans Affairs to establish a scholarship program for students seeking a degree or certificate in the areas of visual impairment and orientation and mobility.

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. VISUAL IMPAIRMENT AND ORIENTATION AND**  
4                               **MOBILITY PROFESSIONALS EDUCATION AS-**  
5                               **SISTANCE PROGRAM.**

6       (a) ESTABLISHMENT OF PROGRAM.—Part V of title  
7       38, United States Code, is amended by adding at the end  
8       the following new chapter:

1 **“CHAPTER 80—VISUAL IMPAIRMENT AND**  
 2 **ORIENTATION AND MOBILITY PROFES-**  
 3 **SIONALS EDUCATION ASSISTANCE**  
 4 **PROGRAM**

“Sec.

“8001. Establishment of scholarship program; purpose.

“8002. Application and acceptance.

“8003. Amount of assistance; duration.

“8004. Agreement.

“8005. Repayment for failure to satisfy requirements of agreement.

5 **“§ 8001. Establishment of scholarship program; pur-**  
 6 **pose**

7 “(a) ESTABLISHMENT.—Subject to the availability of  
 8 appropriations, the Secretary shall establish and carry out  
 9 a scholarship program to provide financial assistance in  
 10 accordance with this chapter to an individual—

11 “(1) who is accepted for enrollment or currently  
 12 enrolled in a program of study leading to a degree  
 13 or certificate in visual impairment or orientation and  
 14 mobility, or a dual degree or certification in both  
 15 such areas, at an accredited (as determined by the  
 16 Secretary) educational institution that is in a State;  
 17 and

18 “(2) who enters into an agreement with the  
 19 Secretary as described in section 8004 of this chap-  
 20 ter.

21 “(b) PURPOSE.—The purpose of the scholarship pro-  
 22 gram established under this chapter is to increase the sup-

1 ply of qualified blind rehabilitation specialists for the De-  
2 partment and the Nation.

3 “(c) OUTREACH.—The Secretary shall publicize the  
4 scholarship program established under this chapter to edu-  
5 cational institutions throughout the United States, with  
6 an emphasis on disseminating information to such institu-  
7 tions with high numbers of Hispanic students and to His-  
8 torically Black Colleges and Universities.

9 **“§ 8002. Application and acceptance**

10 “(a) APPLICATION.—(1) To apply and participate in  
11 the scholarship program under this chapter, an individual  
12 shall submit to the Secretary an application for such par-  
13 ticipation together with an agreement described in section  
14 8004 of this chapter under which the participant agrees  
15 to serve a period of obligated service in the Department  
16 as provided in the agreement in return for payment of  
17 educational assistance as provided in the agreement.

18 “(2) In distributing application forms and agreement  
19 forms to individuals desiring to participate in the scholar-  
20 ship program, the Secretary shall include with such forms  
21 the following:

22 “(A) A fair summary of the rights and liabil-  
23 ities of an individual whose application is approved  
24 (and whose agreement is accepted) by the Secretary.

1           “(B) A full description of the terms and condi-  
2           tions that apply to participation in the scholarship  
3           program and service in the Department.

4           “(b) APPROVAL.—(1) Upon the Secretary’s approval  
5           of an individual’s participation in the scholarship program,  
6           the Secretary shall, in writing, promptly notify the indi-  
7           vidual of that acceptance.

8           “(2) An individual becomes a participant in the schol-  
9           arship program upon such approval by the Secretary.

10   **“§ 8003. Amount of assistance; duration**

11           “(a) AMOUNT OF ASSISTANCE.—The amount of the  
12           financial assistance provided for an individual under this  
13           chapter shall be the amount determined by the Secretary  
14           as being necessary to pay the tuition and fees of the indi-  
15           vidual. In the case of an individual enrolled in a program  
16           of study leading to a dual degree or certification in both  
17           the areas of study described in section 8001(a)(1) of this  
18           chapter, the tuition and fees shall not exceed the amounts  
19           necessary for the minimum number of credit hours to  
20           achieve such dual certification or degree.

21           “(b) RELATIONSHIP TO OTHER ASSISTANCE.—Fi-  
22           nancial assistance may be provided to an individual under  
23           this chapter to supplement other educational assistance to  
24           the extent that the total amount of educational assistance  
25           received by the individual during an academic year does

1 not exceed the total tuition and fees for such academic  
2 year.

3 “(c) MAXIMUM AMOUNT OF ASSISTANCE.—(1) In no  
4 case may the total amount of assistance provided under  
5 this chapter for an academic year to an individual who  
6 is a full-time student exceed \$15,000.

7 “(2) In the case of an individual who is a part-time  
8 student, the total amount of assistance provided under  
9 this chapter shall bear the same ratio to the amount that  
10 would be paid under paragraph (1) if the participant were  
11 a full-time student in the program of study being pursued  
12 by the individual as the coursework carried by the indi-  
13 vidual to full-time coursework in that program of study.

14 “(3) In no case may the total amount of assistance  
15 provided to an individual under this chapter exceed  
16 \$45,000.

17 “(d) MAXIMUM DURATION OF ASSISTANCE.—The  
18 Secretary may provide financial assistance to an individual  
19 under this chapter for not more than six years.

20 **“§ 8004. Agreement**

21 “An agreement between the Secretary and a partici-  
22 pant in the scholarship program under this chapter shall  
23 be in writing, shall be signed by the participant, and shall  
24 include—

1           “(1) the Secretary’s agreement to provide the  
2 participant with financial assistance as authorized  
3 under this chapter;

4           “(2) the participant’s agreement—

5                 “(A) to accept such financial assistance;

6                 “(B) to maintain enrollment and attend-  
7 ance in the program of study described in sec-  
8 tion 8001(a)(1) of this chapter;

9                 “(C) while enrolled in such program, to  
10 maintain an acceptable level of academic stand-  
11 ing (as determined by the educational institu-  
12 tion offering such program under regulations  
13 prescribed by the Secretary); and

14                 “(D) after completion of the program, to  
15 serve as a full-time employee in the Department  
16 for a period of three years, to be served within  
17 the first six years after the participant has com-  
18 pleted such program and received a degree or  
19 certificate described in section 8001(a)(1) of  
20 this chapter; and

21           “(3) any other terms and conditions that the  
22 Secretary determines appropriate for carrying out  
23 this chapter.

1 **“§ 8005. Repayment for failure to satisfy require-**  
2 **ments of agreement**

3 “(a) IN GENERAL.—An individual who receives edu-  
4 cational assistance under this chapter shall repay to the  
5 Secretary an amount equal to the unearned portion of  
6 such assistance if the individual fails to satisfy the require-  
7 ments of the agreement entered into under section 8004  
8 of this chapter, except in circumstances authorized by the  
9 Secretary.

10 “(b) AMOUNT OF REPAYMENT.—The Secretary shall  
11 establish, by regulations, procedures for determining the  
12 amount of the repayment required under this subsection  
13 and the circumstances under which an exception to the  
14 required repayment may be granted.

15 “(c) WAIVER OR SUSPENSION OF COMPLIANCE.—  
16 The Secretary shall prescribe regulations providing for the  
17 waiver or suspension of any obligation of an individual for  
18 service or payment under this chapter (or an agreement  
19 under this chapter) whenever noncompliance by the indi-  
20 vidual is due to circumstances beyond the control of the  
21 individual or whenever the Secretary determines that the  
22 waiver or suspension of compliance is in the best interest  
23 of the United States.

24 “(d) OBLIGATION AS DEBT TO UNITED STATES.—  
25 An obligation to repay the Secretary under this section  
26 is, for all purposes, a debt owed the United States. A dis-

1 charge in bankruptcy under title 11 does not discharge  
2 a person from such debt if the discharge order is entered  
3 less than five years after the date of the termination of  
4 the agreement or contract on which the debt is based.”.

5 (b) CLERICAL AMENDMENTS.—The tables of chap-  
6 ters at the beginning of title 38, and of part V of title  
7 38, are each amended by inserting after the item relating  
8 to chapter 79 the following new item:

“80. Visual Impairment and Orientation and Mobility Professionals  
Education Assistance Program ..... 8001.”.

9 **SEC. 2. EFFECTIVE DATE.**

10 The Secretary of Veterans Affairs shall implement  
11 chapter 80 of title 38, United States Code, as added by  
12 section 1, not later than six months after the date of the  
13 enactment of this Act.

