

111TH CONGRESS
1ST SESSION

S. 793

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.

IN THE SENATE OF THE UNITED STATES

APRIL 2, 2009

Mr. BROWN introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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. SHORT TITLE.**

4 This Act may be cited as the “Department of Vet-
5 erans Affairs Vision Scholars Act of 2009”.

1 **SEC. 2. VISUAL IMPAIRMENT AND ORIENTATION AND MO-**
 2 **BILITY PROFESSIONALS EDUCATION ASSIST-**
 3 **ANCE PROGRAM.**

4 (a) ESTABLISHMENT OF PROGRAM.—Part V of title
 5 38, United States Code, is amended by adding at the end
 6 the following new chapter:

7 **“CHAPTER 80—VISUAL IMPAIRMENT AND**
 8 **ORIENTATION AND MOBILITY PROFES-**
 9 **SIONALS EDUCATION ASSISTANCE**
 10 **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.

11 **“§ 8001. Establishment of scholarship program; pur-**
 12 **pose**

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

17 “(1) who is accepted for enrollment or currently
 18 enrolled in a program of study leading to a degree
 19 or certificate in visual impairment or orientation and
 20 mobility, or a dual degree or certification in both
 21 such areas, at an accredited (as determined by the

1 Secretary) educational institution that is in a State;
2 and

3 “(2) who enters into an agreement with the
4 Secretary as described in section 8004 of this chap-
5 ter.

6 “(b) PURPOSE.—The purpose of the scholarship pro-
7 gram established under this chapter is to increase the sup-
8 ply of qualified blind rehabilitation specialists for the De-
9 partment and the Nation.

10 “(c) OUTREACH.—The Secretary shall publicize the
11 scholarship program established under this chapter to edu-
12 cational institutions throughout the United States, with
13 an emphasis on disseminating information to such institu-
14 tions with high numbers of Hispanic students and to His-
15 torically Black Colleges and Universities.

16 **“§ 8002. Application and acceptance**

17 “(a) APPLICATION.—(1) To apply and participate in
18 the scholarship program under this chapter, an individual
19 shall submit to the Secretary an application for such par-
20 ticipation together with an agreement described in section
21 8004 of this chapter under which the participant agrees
22 to serve a period of obligated service in the Department
23 as provided in the agreement in return for payment of
24 educational assistance as provided in the agreement.

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

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

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

11 “(b) APPROVAL.—(1) Upon the Secretary’s approval
12 of an individual’s participation in the scholarship program,
13 the Secretary shall, in writing, promptly notify the indi-
14 vidual of that acceptance.

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

17 **“§ 8003. Amount of assistance; duration**

18 “(a) AMOUNT OF ASSISTANCE.—The amount of the
19 financial assistance provided for an individual under this
20 chapter shall be the amount determined by the Secretary
21 as being necessary to pay the tuition and fees of the indi-
22 vidual. In the case of an individual enrolled in a program
23 of study leading to a dual degree or certification in both
24 the areas of study described in section 8001(a)(1) of this
25 chapter, the tuition and fees shall not exceed the amounts

1 necessary for the minimum number of credit hours to
2 achieve such dual certification or degree.

3 “(b) RELATIONSHIP TO OTHER ASSISTANCE.—Fi-
4 nancial assistance may be provided to an individual under
5 this chapter to supplement other educational assistance to
6 the extent that the total amount of educational assistance
7 received by the individual during an academic year does
8 not exceed the total tuition and fees for such academic
9 year.

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

14 “(2) In the case of an individual who is a part-time
15 student, the total amount of assistance provided under
16 this chapter shall bear the same ratio to the amount that
17 would be paid under paragraph (1) if the participant were
18 a full-time student in the program of study being pursued
19 by the individual as the coursework carried by the indi-
20 vidual to full-time coursework in that program of study.

21 “(3) In no case may the total amount of assistance
22 provided to an individual under this chapter exceed
23 \$45,000.

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

4 **“§ 8004. Agreement**

5 “An agreement between the Secretary and a partici-
6 pant in the scholarship program under this chapter shall
7 be in writing, shall be signed by the participant, and shall
8 include—

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

12 “(2) the participant’s agreement—

13 “(A) to accept such financial assistance;

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

17 “(C) while enrolled in such program, to
18 maintain an acceptable level of academic stand-
19 ing (as determined by the educational institu-
20 tion offering such program under regulations
21 prescribed by the Secretary); and

22 “(D) after completion of the program, to
23 serve as a full-time employee in the Department
24 for a period of three years, to be served within
25 the first six years after the participant has com-

1 pleted such program and received a degree or
2 certificate described in section 8001(a)(1) of
3 this chapter; and

4 “(3) any other terms and conditions that the
5 Secretary determines appropriate for carrying out
6 this chapter.

7 **“§ 8005. Repayment for failure to satisfy require-**
8 **ments of agreement**

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

16 “(b) AMOUNT OF REPAYMENT.—The Secretary shall
17 establish, by regulations, procedures for determining the
18 amount of the repayment required under this subsection
19 and the circumstances under which an exception to the
20 required repayment may be granted.

21 “(c) WAIVER OR SUSPENSION OF COMPLIANCE.—
22 The Secretary shall prescribe regulations providing for the
23 waiver or suspension of any obligation of an individual for
24 service or payment under this chapter (or an agreement
25 under this chapter) whenever noncompliance by the indi-

1 vidual is due to circumstances beyond the control of the
 2 individual or whenever the Secretary determines that the
 3 waiver or suspension of compliance is in the best interest
 4 of the United States.

5 “(d) OBLIGATION AS DEBT TO UNITED STATES.—
 6 An obligation to repay the Secretary under this section
 7 is, for all purposes, a debt owed the United States. A dis-
 8 charge in bankruptcy under title 11 does not discharge
 9 a person from such debt if the discharge order is entered
 10 less than five years after the date of the termination of
 11 the agreement or contract on which the debt is based.”.

12 (b) CLERICAL AMENDMENTS.—The tables of chap-
 13 ters at the beginning of title 38, and of part V of title
 14 38, are each amended by inserting after the item relating
 15 to chapter 79 the following new item:

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

16 **SEC. 3. EFFECTIVE DATE.**

17 The Secretary of Veterans Affairs shall implement
 18 chapter 80 of title 38, United States Code, as added by
 19 section 2, not later than six months after the date of the
 20 enactment of this Act.

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