

Union Calendar No. 179

115TH CONGRESS 1ST SESSION

H. R. 3218

[Report No. 115-247, Part I]

To amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

July 13, 2017

Mr. Roe of Tennessee (for himself, Mr. Walz, Mr. McCarthy, Mr. Messer, Mr. Rutherford, Mr. Higgins of Louisiana, Mr. Bergman, Mr. Banks of Indiana, Mr. Mullin, Mr. Arrington, Mr. Wenstrup, Mrs. RADEWAGEN, Mr. COOK, Mr. McKinley, Mrs. Brooks of Indiana, Mr. FITZPATRICK, Mr. LABRADOR, Mr. BOST, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. Costello of Pennsylvania, Mr. Dunn, Mr. Smucker, Mr. Poliquin, Mr. Walberg, Mr. Coffman, Mr. Bilirakis, Mr. BISHOP of Michigan, Mr. Peters, Ms. Shea-Porter, Mr. Rush, Mr. RYAN of Ohio, Mr. Scott of Virginia, Mr. Sablan, Ms. Esty of Connecticut, Ms. Gabbard, Mr. Takano, Mr. Thompson of California, Mr. Peterson, Mr. O'Rourke, Miss Rice of New York, Ms. Rosen, Mr. Brown of Maryland, Mrs. Davis of California, Mr. Carbajal, Mr. BUTTERFIELD, Ms. KUSTER of New Hampshire, Ms. Brownley of California, Ms. Wasserman Schultz, Mr. Correa, Mr. DeFazio, Mr. Pa-NETTA, Mr. MOULTON, Ms. TITUS, Ms. SINEMA, Mr. BISHOP of Georgia, Mr. Palazzo, Mr. Richmond, and Mr. Courtney) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, 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

July 24, 2017

Additional sponsors: Mrs. Walorski, Mr. Young of Iowa, Ms. Velázquez, Mr. WITTMAN, Mr. POLIS, Mr. CARSON of Indiana, Mr. O'HALLERAN, Mr. Vargas, Mr. Pascrell, Mr. Sherman, Ms. Jayapal, Mr. Brady of Pennsylvania, Mrs. Bustos, Ms. DeGette, Mr. Suozzi, Ms. Tson-GAS, Mrs. Beatty, Mr. Cicilline, Ms. Pelosi, Ms. Eshoo, Mr. LOWENTHAL, Mrs. MURPHY of Florida, Mr. KIND, Mr. LIPINSKI, Mr. PERLMUTTER, Mr. ZELDIN, Mr. HECK, Mr. KING of New York, Mr. Issa, Mrs. Napolitano, Mr. Khanna, Mr. Cuellar, Ms. Norton, Ms. BORDALLO, Mr. HIGGINS of New York, Mr. Costa, Ms. Matsui, Mr. Nadler, Mr. Kilmer, Mr. Krishnamoorthi, Mr. Castro of Texas, Ms. Castor of Florida, Mr. Schneider, Mr. Hurd, Mrs. Dingell, Mr. Veasey, Ms. Michelle Lujan Grisham of New Mexico, Ms. Slaugh-TER, Mr. RASKIN, Mr. SMITH of New Jersey, Mr. GENE GREEN of Texas, Mr. Posey, Mr. Grijalva, Mrs. Demings, Mr. Beyer, Mr. Schrader, Mr. Bera, Mr. Yarmuth, Ms. Hanabusa, Mr. Brendan F. BOYLE of Pennsylvania, Mr. Ellison, Mr. Calvert, Mr. Kildee, and Mr. Gottheimer

July 24, 2017

Reported from the Committee on Veterans' Affairs with an amendment [Strike out all after the enacting clause and insert the part printed in italic]

July 24, 2017

The Committee on Armed Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on July 13, 2017]

A BILL

To amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, 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,
- 3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.
- 4 (a) Short Title.—This Act may be cited as the
- 5 "Harry W. Colmery Veterans Educational Assistance Act
- 6 of 2017".
- 7 (b) Table of Contents.—The table of contents for
- 8 this Act is as follows:
 - Sec. 1. Short title; table of contents.
 - Sec. 2. References to title 38, United States Code.

TITLE I—POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM

- Sec. 101. Consideration of certain time spent receiving medical care from Secretary of Defense as active duty for purposes of eligibility for Post-9/11 Educational Assistance.
- Sec. 102. Educational assistance under Post-9/11 Educational Assistance Program for members of the Armed Forces awarded the Purple Heart.
- Sec. 103. Inclusion of Fry Scholarship recipients and Purple Heart recipients in Yellow Ribbon G.I. Education Enhancement Program.
- Sec. 104. Consolidation of certain eligibility tiers under Post-9/11 Educational Assistance Program of the Department of Veterans Affairs.
- Sec. 105. Eligibility for Post-9/11 Educational Assistance for certain members of reserve components of Armed Forces who lost entitlement to educational assistance under Reserve Educational Assistance Program.
- Sec. 106. Calculation of monthly housing stipend under Post-9/11 Educational Assistance Program based on location of campus where classes are attended.
- Sec. 107. Charge to entitlement for certain licensure and certification tests and national tests under Department of Veterans Affairs Post-9/11 Educational Assistance Program.
- Sec. 108. Restoration of entitlement to educational assistance and other relief for veterans affected by school closure or disapproval.
- Sec. 109. Additional authorized transfer of unused Post-9/11 Educational Assistance benefits to dependents upon death of originally designated dependent.
- Sec. 110. Edith Nourse Rogers STEM Scholarship.
- Sec. 111. Honoring the national service of members of the Armed Forces by elimination of time limitation for use of entitlement.
- Sec. 112. Monthly stipend for certain members of the reserve components of the Armed Forces receiving Post-9/11 Educational Assistance.
- Sec. 113. Improvement of information technology of the veterans benefits administration of the Department of Veterans Affairs.
- Sec. 114. Department of Veterans Affairs high technology pilot program.

Sec. 115. Annual reports to Congress on information on student progress submitted by educational institutions.

TITLE II—OTHER EDUCATIONAL ASSISTANCE PROGRAMS

- Sec. 201. Work-study allowance.
- Sec. 202. Duration of educational assistance under Survivors' and Dependents'

 Educational Assistance Program.
- Sec. 203. Olin E. Teague increase in amounts of educational assistance payable under Survivors' and Dependents' Educational Assistance Program.

TITLE III—ADMINISTRATION OF EDUCATIONAL ASSISTANCE PROGRAMS

- Sec. 301. State approving agency funding.
- Sec. 302. Authorization for use of Post-9/11 Educational Assistance to pursue independent study programs at certain educational institutions that are not institutions of higher learning.
- Sec. 303. Provision of information on priority enrollment for veterans in certain courses of education.
- Sec. 304. Limitation on use of reporting fees payable to educational institutions and sponsors of programs of apprenticeship.
- Sec. 305. Training for school certifying officials.
- Sec. 306. Extension of authority for Advisory Committee on Education.
- Sec. 307. Department of Veterans Affairs provision of on-campus educational and vocational counseling for veterans.
- Sec. 308. Provision of information regarding veteran entitlement to educational assistance.
- Sec. 309. Treatment, for purposes of educational assistance administered by the Secretary of Veterans Affairs, of educational courses that begin seven or fewer days after the first day of an academic term.

TITLE IV—RESERVE COMPONENT BENEFITS

- Sec. 401. Eligibility of reserve component members for Post-9/11 Educational Assistance.
- Sec. 402. Time limitation for training and rehabilitation for veterans with service-connected disabilities.

TITLE V—OTHER MATTERS

- Sec. 501. Repeal inapplicability of modification of basic allowance for housing to benefits under laws administered by Secretary of Veterans Affairs.
- Sec. 502. Reconsideration of previously denied claims for disability compensation for veterans who allege full-body exposure to nitrogen mustard gas, sulfur mustard gas, or Lewisite during World War II.

1 SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

- 2 Except as otherwise expressly provided, whenever in
- 3 this Act an amendment or repeal is expressed in terms of
- 4 an amendment to, or repeal of, a section or other provision,

1 the reference shall be considered to be made to a section or other provision of title 38, United States Code. TITLE EDU-*I—POST-9/11* 3 CATIONAL ASSISTANCE PRO-4 **GRAM** 5 SEC. 101. CONSIDERATION OF CERTAIN TIME SPENT RE-7 CEIVING MEDICAL CARE FROM SECRETARY 8 OF DEFENSE AS ACTIVE DUTY FOR PURPOSES 9 OF ELIGIBILITY FOR POST-9/11 EDUCATIONAL 10 ASSISTANCE. 11 (a) In General.—Section 3301(1)(B) is amended by inserting "12301(h)," after "12301(g),". 13 (b) Retroactive Application.—The amendment made by subsection (a) shall apply with respect to service 14 in the Armed Forces occurring on or after September 11, 16 2001. 17 (c) Application With Respect to Use of Entitle-MENT.—An individual who is entitled to educational assist-18 ance by reason of the amendment made by subsection (a) 19 may use such entitlement to pursue a course of education

21 beginning on or after August 1, 2018.

1	SEC. 102. EDUCATIONAL ASSISTANCE UNDER POST-9/11
2	EDUCATIONAL ASSISTANCE PROGRAM FOR
3	MEMBERS OF THE ARMED FORCES AWARDED
4	THE PURPLE HEART.
5	(a) Eligibility.—Section 3311(b) is amended by add-
6	ing at the end the following new paragraph:
7	"(10) An individual who is awarded the Purple
8	Heart for service in the Armed Forces occurring on
9	or after September 11, 2001, and continues to serve
10	on active duty in the Armed Forces or is discharged
11	or released from active duty as described in subsection
12	(c).".
13	(b) Amount of Assistance.—Section 3313(c)(1) is
14	amended by striking "or (9)" and inserting "(9), or (10)".
15	(c) Effective Date.—The amendments made by this
16	section shall take effect on August 1, 2018.
17	SEC. 103. INCLUSION OF FRY SCHOLARSHIP RECIPIENTS
18	AND PURPLE HEART RECIPIENTS IN YELLOW
19	RIBBON G.I. EDUCATION ENHANCEMENT PRO-
20	GRAM.
21	(a) In General.—Section 3317(a) is amended in the
22	second sentence by striking "paragraphs (1) and (2)" and
23	inserting "paragraphs (1), (2), (9), and (10)".
24	(b) Effective Date.—The amendment made by sub-
25	section (a) shall take effect on August 1, 2018.

1	SEC. 104. CONSOLIDATION OF CERTAIN ELIGIBILITY TIERS
2	UNDER POST-9/11 EDUCATIONAL ASSISTANCE
3	PROGRAM OF THE DEPARTMENT OF VET-
4	ERANS AFFAIRS.
5	(a) Entitlement.—Section 3311(b), as amended by
6	section 102, is further amended—
7	(1) in paragraph (6)(A), by striking "12
8	months" and inserting "6 months";
9	(2) by striking paragraph (7); and
10	(3) by redesignating paragraphs (8), (9), and
11	(10) as paragraphs (7), (8), and (9), respectively.
12	(b) Amount of Educational Assistance.—Section
13	3313(c) is amended by striking paragraph (7).
14	(c) Conforming Amendments.—Chapter 33 is fur-
15	ther amended as follows:
16	(1) In section 3311(f), by striking "paragraph
17	(9)" each place it appears and inserting "paragraph
18	(8)".
19	(2) In section 3313, as amended by section
20	102—
21	(A) in subsection (c)(1), by striking "(9), or
22	(10)" and inserting "(8), or (9)";
23	(B) in subsection (d), by striking "para-
24	graphs (2) through (7)" each place it appears
25	and inserting "paragraphs (2) through (6)";
26	(C) in subsection $(e)(2)(C)$ —

1	(i) by striking "paragraphs (3)
2	through (8)" and inserting "paragraphs (3)
3	through (7)"; and
4	(ii) by striking "paragraphs (2)
5	through (7)" and inserting "paragraphs (2)
6	through (6)".
7	(D) in subsection $(f)(2)(A)(ii)$, by striking
8	"paragraphs (2) through (7)" and inserting
9	"paragraphs (2) through (6)";
10	(E) in subsection $(g)(3)$ —
11	(i) in subparagraph $(A)(iv)$ —
12	(I) by striking "paragraphs (3)
13	through (8)" and inserting "para-
14	graphs (3) through (7)"; and
15	(II) by striking "paragraphs (2)
16	through (7)" and inserting "para-
17	graphs (2) through (6)";
18	$(ii)\ in\ subparagraph\ (B)(iii)$ —
19	(I) by striking "paragraphs (3)
20	through (8)" and inserting "para-
21	graphs (3) through (7)"; and
22	(II) by striking "paragraphs (2)
23	through (7)" and inserting "para-
24	graphs (2) through (6)";
25	(iii) in subparagraph (C)(ii)—

1	(I) in subclause (I), by striking
2	"(9)" and inserting "(8)"; and
3	(II) in subclause (II)—
4	(aa) by striking "paragraphs
5	(3) through (8)" and inserting
6	"paragraphs (3) through (7)";
7	and
8	(bb) by striking "paragraphs
9	(2) through (7)" and inserting
10	"paragraphs (2) through (6)";
11	and
12	(iv) in subparagraph (D)(ii)—
13	(I) in subclause (I), by striking
14	"(9)" and inserting "(8)"; and
15	(II) in subclause (II)—
16	(aa) by striking "paragraphs
17	(3) through (8)" and inserting
18	"paragraphs (3) through (7)";
19	and
20	(bb) by striking "paragraphs
21	(2) through (7)" and inserting
22	"paragraphs (2) through (6)";
23	and

1	(F) in subsection (h), by striking "para-
2	graphs (2) through (7)" and inserting "para-
3	graphs (2) through (6)";
4	(3) In section 3316—
5	(A) in subsection (a)(1), by striking "para-
6	graphs (2) through (7)" and inserting "para-
7	graphs (2) through (6)"; and
8	(B) in subsection (b)(1), by striking "para-
9	graphs (2) through (7)" and inserting "para-
10	graphs (2) through (6)".
11	(4) In section 3317(a), in the second sentence, as
12	amended by section 103, by striking "paragraphs (1),
13	(2), (9), and (10)" and inserting "paragraphs (1),
14	(2), (8), and (9)".
15	(5) In section 3321(b)(4), as amended by section
16	111, by striking "section 3311(b)(9)" and inserting
17	"section 3311(b)(8)".
18	(6) In section 3322—
19	(A) in subsection (e), by striking
20	"3311(b)(9)" and inserting "3311(b)(8)";
21	(B) in subsection (f), by striking
22	"3311(b)(9)" and inserting "3311(b)(8)"; and
23	(C) in subsection $(h)(2)$, by striking
24	"3311(b)(9)" and insertina "3311(b)(8)".

1	(7) In section $3679(c)(2)(B)$, by striking
2	"3311(b)(9)" and inserting "3311(b)(8)".
3	(d) Effective Date.—The amendments made by this
4	section shall take effect on August 1, 2020.
5	SEC. 105. ELIGIBILITY FOR POST-9/11 EDUCATIONAL ASSIST-
6	ANCE FOR CERTAIN MEMBERS OF RESERVE
7	COMPONENTS OF ARMED FORCES WHO LOST
8	ENTITLEMENT TO EDUCATIONAL ASSISTANCE
9	UNDER RESERVE EDUCATIONAL ASSISTANCE
10	PROGRAM.
11	(a) Election.—Section 16167 of title 10, United
12	States Code, is amended by adding at the end the following
13	new subsection:
14	"(c) Eligibility for Post-9/11 Educational As-
15	SISTANCE.—A member who loses eligibility for benefits
16	under this chapter pursuant to subsection (b) shall be al-
17	lowed to elect (in such form and manner as the Secretary
18	of Veterans Affairs may prescribe) to have such service pre-
19	viously credited toward this chapter credited towards estab-
20	lishing eligibility for educational assistance under chapter
21	33 of title 38, notwithstanding the provisions of section
22	16163(e) of this title or section 3322(h)(1) of title 38.".
23	(b) Qualification of Service.—Section 3301(1) of
24	title 38, United States Code, shall be construed to include,
25	in the case of a member of a reserve component of the Armed

- 1 Forces who, before November 25, 2015, established eligibility
- 2 for educational assistance under chapter 1607 of title 10,
- 3 United States Code, pursuant to section 16163(a)(1) of such
- 4 title, but lost eligibility for such educational assistance pur-
- 5 suant to section 16167(b) of such title, service on active duty
- 6 (as defined in section 101 of such title) that satisfies the
- 7 requirements of section 16163(a)(1) of such title.
- 8 (c) Entitlement.—Section 3311(b)(6) of title 38,
- 9 United States Code, as amended by section 104(a), shall
- 10 be construed to include an individual who, before November
- 11 25, 2015, established eligibility for educational assistance
- 12 under chapter 1607 of title 10, United States Code, pursu-
- 13 ant to section 16163(b) of such title, but lost such eligibility
- 14 pursuant to section 16167(b) of such title.
- 15 (d) Duration.—Notwithstanding section 3312 of title
- 16 38, United States Code, an individual who establishes eligi-
- 17 bility for educational assistance under chapter 33 of such
- 18 title by crediting towards such chapter service previously
- 19 credited towards chapter 1607 of title 10, United States
- 20 Code, is only entitled to a number of months of educational
- 21 assistance under section 3313 of title 38, United States
- 22 Code, equal to the number of months of entitlement remain-
- 23 ing under chapter 1607 of title 10, United States Code, at
- 24 the time of conversion to chapter 33 of title 38, United
- 25 States Code.

1	SEC. 106. CALCULATION OF MONTHLY HOUSING STIPEND
2	UNDER POST-9/11 EDUCATIONAL ASSISTANCE
3	PROGRAM BASED ON LOCATION OF CAMPUS
4	WHERE CLASSES ARE ATTENDED.
5	(a) In General.—Section $3313(c)(1)(B)(i)(I)$ is
6	amended by striking "the institution of higher learning at
7	which the individual is enrolled" and inserting "the cam-
8	pus of the institution of higher learning where the indi-
9	vidual physically participates in a majority of classes".
10	(b) Effective Date.—The amendment made by sub-
11	section (a) shall apply with respect to initial enrollment
12	in a program of education on or after August 1, 2018.
13	SEC. 107. CHARGE TO ENTITLEMENT FOR CERTAIN LICEN-
14	SURE AND CERTIFICATION TESTS AND NA-
15	TIONAL TESTS UNDER DEPARTMENT OF VET-
15 16	TIONAL TESTS UNDER DEPARTMENT OF VET- ERANS AFFAIRS POST-9/11 EDUCATIONAL AS-
16	ERANS AFFAIRS POST-9/11 EDUCATIONAL AS-
16 17	ERANS AFFAIRS POST-9/11 EDUCATIONAL AS- SISTANCE PROGRAM.
16 17 18	ERANS AFFAIRS POST-9/11 EDUCATIONAL AS- SISTANCE PROGRAM. (a) LICENSURE AND CERTIFICATION TESTS.—Sub-
16 17 18	ERANS AFFAIRS POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM. (a) LICENSURE AND CERTIFICATION TESTS.—Subsection (c) of section 3315 is amended—
16 17 18 19 20	ERANS AFFAIRS POST-9/11 EDUCATIONAL AS- SISTANCE PROGRAM. (a) LICENSURE AND CERTIFICATION TESTS.—Sub- section (c) of section 3315 is amended— (1) by striking "shall be determined at the rate
16 17 18 19 20 21	ERANS AFFAIRS POST-9/11 EDUCATIONAL AS- SISTANCE PROGRAM. (a) LICENSURE AND CERTIFICATION TESTS.—Sub- section (c) of section 3315 is amended— (1) by striking "shall be determined at the rate of one month (rounded to the nearest whole month)"
16 17 18 19 20 21	ERANS AFFAIRS POST-9/11 EDUCATIONAL AS- SISTANCE PROGRAM. (a) LICENSURE AND CERTIFICATION TESTS.—Sub- section (c) of section 3315 is amended— (1) by striking "shall be determined at the rate of one month (rounded to the nearest whole month)" and inserting "shall be pro-rated based on the actual
16 17 18 19 20 21 22 23	ERANS AFFAIRS POST-9/11 EDUCATIONAL AS- SISTANCE PROGRAM. (a) LICENSURE AND CERTIFICATION TESTS.—Sub- section (c) of section 3315 is amended— (1) by striking "shall be determined at the rate of one month (rounded to the nearest whole month)" and inserting "shall be pro-rated based on the actual amount of the fee charged for the test relative to the

1	(b) National Tests.—Section 3315A is amended—
2	(1) in subsection (a), by adding at the end the
3	following new paragraph:
4	"(3) A national test that evaluates prior learn-
5	ing and knowledge and provides an opportunity for
6	course credit at an institution of higher learning as
7	so described."; and
8	(2) in subsection (c)—
9	(A) by striking "shall be determined at the
10	rate of one month (rounded to the nearest whole
11	month)" and inserting "shall be pro-rated based
12	on the actual amount of the fee charged for the
13	test relative to the rate for one month"; and
14	(B) by striking "for each amount paid that
15	equals" and inserting "payable".
16	(c) Tests Included.—Section 3452(b) is amended in
17	the last sentence—
18	(1) by striking "and national tests providing"
19	and inserting ", national tests providing"; and
20	(2) by inserting before the period at the end the
21	following: ", and national tests that evaluate prior
22	learning and knowledge and provides an opportunity
23	for course credit at an institution of higher learning".
24	(d) Effective Date.—The amendments made by this
25	Act shall apply to a test taken on or after August 1, 2018.

1	SEC. 108. RESTORATION OF ENTITLEMENT TO EDU-
2	CATIONAL ASSISTANCE AND OTHER RELIEF
3	FOR VETERANS AFFECTED BY SCHOOL CLO-
4	SURE OR DISAPPROVAL.
5	(a) School Closure or Disapproval.—
6	(1) Restoration of entitlement.—Chapter
7	36 is amended by adding at the end the following new
8	section:
9	"§ 3699. Effects of closure or disapproval of edu-
10	cational institution
11	"(a) Closure or Disapproval.—Any payment of
12	educational assistance described in subsection (b) shall
13	not—
14	"(1) be charged against any entitlement to edu-
15	cational assistance of the individual concerned; or
16	"(2) be counted against the aggregate period for
17	which section 3695 of this title limits the receipt of
18	educational assistance by such individual.
19	"(b) Educational Assistance Described.—Subject
20	to subsection (c), the payment of educational assistance de-
21	scribed in this paragraph is the payment of such assistance
22	to an individual for pursuit of a course or program of edu-
23	cation at an educational institution under chapters 30, 32,
24	33, or 35 of this title, or chapters 1606 or 1607 of title
25	10, if the Secretary determines that the individual—

1	"(1) was forced to discontinue the pursuit of
2	such course or program as a result of—
3	"(A) the permanent closure of the edu-
4	cational institution; or
5	"(B) the disapproval of the course or a
6	course that is a necessary part of that program
7	under this chapter by reason of—
8	"(i) a provision of law enacted after
9	the date on which the individual enrolls at
10	such institution affecting the approval or
11	disapproval of courses under this chapter;
12	or
13	"(ii) after the date on which the indi-
14	vidual enrolls at such institution, the Sec-
15	retary prescribing or modifying regulations
16	or policies of the Department affecting such
17	approval or disapproval; and
18	"(2) did not receive credit or lost training time,
19	toward completion of the program of education being
20	so pursued.
21	"(c) Period Not Charged.—The period for which,
22	by reason of this subsection, educational assistance is not
23	charged against entitlement or counted toward the applica-
24	ble aggregate period under section 3695 of this title shall
25	not exceed the aggregate of—

1	"(1) the portion of the period of enrollment in
2	the course from which the individual failed to receive
3	credit or with respect to which the individual lost
4	$training\ time,\ as\ determined\ under\ subsection\ (b)(2),$
5	and
6	"(2) the period by which a monthly stipend is
7	extended under section $3680(a)(2)(B)$ of this title.
8	"(d) Continuing Pursuit of Disapproved
9	Courses.—(1) The Secretary may treat a course of edu-
10	cation that is disapproved under this chapter as being ap-
11	proved under this chapter with respect to an individual de-
12	scribed in paragraph (2) if the Secretary determines, on
13	a case-by-case basis, that—
14	"(A) such disapproval is the result of an action
15	described in clause (i) or (ii) of subsection (b)(1)(B);
16	and
17	"(B) continuing pursuing such course is in the
18	best interest of the individual.
19	"(2) An individual described in this paragraph is an
20	individual who is pursuing a course of education at an edu-
21	cational institution under chapters 30, 32, 33, or 35 of this
22	title, or chapters 1606 or 1607 of title 10, as of the date
23	on which the course is disapproved under this chapter.".
24	(2) Clerical amendment.—The table of sec-
25	tions at the beginning of such chapter is amended by

1	inserting after the item relating to section 3698 the
2	following new item:
	"3699. Effects of closure or disapproval of educational institution.".
3	(b) Monthly Housing Stipend.—
4	(1) In general.—Subsection (a) section 3680 is
5	amended—
6	(A) by striking the matter after paragraph
7	(3)(B);
8	(B) in paragraph (3), by redesignating sub-
9	paragraphs (A) and (B) as clauses (i) and (ii),
10	respectively;
11	(C) by redesignating paragraphs (1)
12	through (3) as subparagraphs (A) through (C),
13	respectively;
14	(D) in the matter preceding subparagraph
15	(A), as redesignated, in the first sentence, by
16	striking "Payment of" and inserting "(1) Except
17	as provided in paragraph (2), payment of"; and
18	(E) by adding at the end the following new
19	paragraph (2):
20	"(2) Notwithstanding paragraph (1), the Secretary
21	may, pursuant to such regulations as the Secretary shall
22	prescribe, continue to pay allowances to eligible veterans
23	and eligible persons enrolled in courses set forth in para-
24	graph (1)(A)—

1	"(A) during periods when educational institu-
2	tions are temporarily closed under an established pol-
3	icy based on an Executive order of the President or
4	due to an emergency situation, except that the total
5	number of weeks for which allowances may continue
6	to be so payable in any 12-month period may not ex-
7	ceed four weeks; or
8	"(B) solely for the purpose of awarding a month-
9	ly housing stipend described in section 3313 of this
10	title, during periods following a permanent closure of
11	an educational institution, or following the dis-
12	approval of a course of study described in section
13	3699(b)(1)(B) of this title, except that payment of
14	such a stipend may only be continued until the ear-
15	lier of—
16	"(i) the date of the end of the term, quarter,
17	or semester during which the closure or dis-
18	approval occurred; and
19	"(ii) the date that is 120 days after the date
20	of the closure or disapproval.".
21	(2) Conforming amendment.—Paragraph
22	(1)(C)(ii) of such subsection, as redesignated, is
23	amended by striking "described in subclause (A) of
24	this clause" and inserting "described in clause (i)".

(c) Applicability.—

25

(1) School closure or disapproval.—

(A) In General.—The amendments made by subsection (a) shall take effect on the date that is 90 days after the date of the enactment of this Act, and shall apply with respect to courses and programs of education discontinued as described in section 3699 of title 38, United States Code, as added by subsection (a)(1), after January 1, 2015.

(B) Special application.—With respect to courses and programs of education discontinued as described in section 3699 of title 38, United States Code, as added by subsection (a)(1), during the period beginning January 1, 2015, and ending on the date of the enactment of this Act, an individual who is unable to transfer credits from such program of education shall be deemed to be an individual who did not receive such credits, as described in subsection (b)(2) of such section. In carrying out this paragraph, the Secretary of Veterans Affairs, in consultation with the Secretary of Education, shall establish procedures to determine whether credits are unable to be transferred.

1	(2) Monthly housing stipend.—The amend-
2	ments made by subsection (b) shall take effect on Au-
3	gust 1, 2018, and shall apply with respect to courses
4	and programs of education discontinued as described
5	in section 3699 of title 38, United States Code, as
6	added by such subsection, on or after the date of the
7	enactment of this Act.
8	SEC. 109. ADDITIONAL AUTHORIZED TRANSFER OF UNUSED
9	POST-9/11 EDUCATIONAL ASSISTANCE BENE-
10	FITS TO DEPENDENTS UPON DEATH OF
11	ORIGINALLY DESIGNATED DEPENDENT.
12	(a) Transfer Upon Death of Dependent.—Sec-
13	tion 3319 is amended—
14	(1) in subsection $(f)(1)$, by inserting after "sec-
15	tion 3321" the following: ", and except as provided in
16	subsection (k) or (l),"; and
17	(2) by adding at the end the following new sub-
18	section:
19	"(k) Additional Transfer Upon Death of De-
20	PENDENT.—In the case of a dependent to whom entitlement
21	to educational assistance is transferred under this section
22	who dies before using all of such entitlement, the individual
23	who transferred the entitlement to the dependent may trans-
24	fer any remaining entitlement to a different eligible depend-
25	ent, notwithstanding whether the individual is serving as

- 1 a member of the Armed Forces when such transfer is exe-
- 2 cuted.
- 3 "(l) Transfer by Dependent.—In the case of an in-
- 4 dividual who transfers entitlement to educational assistance
- 5 under this section who dies before the dependent to whom
- 6 entitlement to educational assistance is so transferred has
- 7 used all of such entitlement, such dependent may transfer
- 8 such entitlement to another eligible dependent in accordance
- 9 with the provisions of this section.".
- 10 (b) Effective Dates.—
- 11 (1) Eligible deaths.—The amendments made
- by this section shall apply with respect to deaths oc-
- 13 curring on or after August 1, 2009.
- 14 (2) Use of entitlement.—A dependent to
- 15 whom entitlement to educational assistance is trans-
- 16 ferred under subsection (k) or (l) of section 3319 of
- 17 title 38, United States Code, as added by subsection
- 18 (a), may use such entitlement to pursue a course of
- 19 education beginning on or after August 1, 2018.
- 20 SEC. 110. EDITH NOURSE ROGERS STEM SCHOLARSHIP.
- 21 (a) In General.—Subchapter II of chapter 33 is
- 22 amended by adding at the end the following new section:
- 23 "§ 3320. Edith Nourse Rogers STEM Scholarship
- 24 "(a) In General.—Subject to the limitation under
- 25 subsection (f), the Secretary shall provide additional bene-

1	fits to eligible individuals selected by the Secretary under
2	this section. Such benefits shall be known as the 'Edith
3	Nourse Rogers STEM Scholarship'.
4	"(b) Eligibility.—For purposes of this section, an el-
5	igible individual is an individual—
6	"(1) who is or was entitled to educational assist-
7	ance under section 3311 of this title;
8	"(2) who has used all of the educational assist-
9	ance to which the individual is entitled under this
10	chapter or will, based on the individual's rate of
11	usage, use all of such assistance within 180 days of
12	applying for benefits under this section;
13	"(3) who applies for assistance under this sec-
14	tion; and
15	"(4) who—
16	"(A) is an individual who—
17	"(i) is enrolled in a program of edu-
18	cation leading to a post-secondary degree
19	that requires more than the standard 128
20	semester (or 192 quarter) credit hours for
21	completion in—
22	$\it ``(I) biological or biomedical $
23	science;
24	"(II) physical science;

1	"(III) science technologies or tech-
2	nicians;
3	"(IV) computer and information
4	science and support services;
5	"(V) mathematics or statistics;
6	"(VI) engineering;
7	"(VII) engineering technologies or
8	$an\ engineering\text{-}related\ field;$
9	"(VIII) a health profession or re-
10	$lated\ program;$
11	"(IX) a medical residency pro-
12	gram; or
13	"(X) an agriculture science pro-
14	gram or a natural resources science
15	program; and
16	"(ii) has completed at least 60 stand-
17	ard semester (or 90 quarter) credit hours in
18	a field referred to in clause (i); or
19	"(B) is an individual who has earned a
20	post-secondary degree in a field referred to in
21	subparagraph (A)(i) and is enrolled in a pro-
22	gram of education leading to a teaching certifi-
23	cation.

- 1 "(c) Priority.—In selecting eligible individuals to re-
- 2 ceive additional benefits under this section, the Secretary
- 3 shall give priority to the following individuals:
- 4 "(1) Individuals who require the most credit
- 5 hours described in subsection (b)(4).
- 6 "(2) Individuals who are entitled to educational
- 7 assistance under this chapter by reason of paragraph
- 8 (1), (2), (8), or (9) of section 3311(b) of this title.
- 9 "(d) Amount of Assistance.—(1) The Secretary
- 10 shall pay to each eligible individual who receives additional
- 11 benefits under this section the monthly amount payable
- 12 under section 3313 of this title for not more than nine
- 13 months of the program of education in which the individual
- 14 is enrolled (adjusted with respect to the individual pursuant
- 15 to section 3313(c), as appropriate), except that the aggre-
- 16 gate amount paid to an individual under this section may
- 17 not exceed \$30,000.
- 18 "(2) The Secretary may not pay to such an individual
- 19 an amount in addition to the amount payable under para-
- 20 graph (1) by reason of section 3317 of this title.
- 21 "(3) An individual who receives additional benefits
- 22 under this section may also receive amounts payable by a
- 23 college or university pursuant to section 3317 of this title.
- 24 "(e) Prohibition on Transfer.—An individual who
- 25 receives additional benefits under this section may not

1	transfer any amount of such additional benefits under sec-
2	tion 3319 of this title.
3	"(f) Maximum Amount of Total Assistance.—The
4	total amount of benefits paid to all eligible individuals
5	under this section may not exceed—
6	"(1) \$25,000,000 for fiscal year 2019;
7	"(2) \$75,000,000 for each of fiscal years 2020
8	through 2022; and
9	"(3) \$100,000,000 for fiscal year 2023 and each
10	subsequent fiscal year.".
11	(b) Clerical Amendment.—The table of sections at
12	the beginning of such chapter is amended by inserting after
13	the item relating to section 3319 the following new item:
	"3320. Edith Nourse Rogers STEM Scholarship.".
14	(c) Effective Date.—Section 3320 of title 38,
15	United States Code, shall take effect on August 1, 2019.
16	SEC. 111. HONORING THE NATIONAL SERVICE OF MEMBERS
17	OF THE ARMED FORCES BY ELIMINATION OF
18	TIME LIMITATION FOR USE OF ENTITLEMENT.
19	(a) In General.—Subsection (a) of section 3321
20	amended—
21	(1) by striking "individual's entitlement" and
22	all that follows through the period and inserting "in-
23	dividual's entitlement—"; and
24	(2) by adding at the end the following new para-
25	graphs:

1	"(1) in the case of an individual who first be-
2	comes entitled to such entitlement before January, 1,
3	2013, expires at the end of the 15-year period begin-
4	ning on the date of such individual's last discharge
5	or release from active duty; or
6	"(2) in the case of an individual who first be-
7	comes entitled to such entitlement on or after Janu-
8	ary 1, 2013, shall not expire.".
9	(b) Children of Deceased Members.—Subsection
10	(b)(4) of such section is amended—
11	(1) by inserting "of this title" after
12	"3311(b)(9)";
13	(2) by striking "child's entitlement" and all that
14	follows through the period and inserting "child's enti-
15	tlement—"; and
16	(3) by adding at the end the following new sub-
17	paragraphs:
18	"(A) in the case of a child who first becomes
19	entitled to such entitlement before January 1,
20	2013, expires at the end of the 15-year period be-
21	ginning on the date of such child's eighteenth
22	$birthday;\ or$
23	"(B) in the case of a child who first becomes
24	entitled to such entitlement on or after January
25	1, 2013, shall not expire.".

1	SEC. 112. MONTHLY STIPEND FOR CERTAIN MEMBERS OF
2	THE RESERVE COMPONENTS OF THE ARMED
3	FORCES RECEIVING POST-9/11 EDUCATIONAL
4	ASSISTANCE.
5	(a) In General.—Section 3313 is further amended by
6	adding at the end the following new subsection:
7	"(j) Determination of Monthly Stipends During
8	CERTAIN ACTIVE DUTY SERVICE.—
9	"(1) Pro rata basis.—In any month in which
10	an individual described in paragraph (2) is per-
11	forming active duty service described in section
12	3301(1)(B) of this title, the Secretary shall determine
13	the amount of monthly stipends payable under this
14	section for such month on a pro rata basis for the pe-
15	riod of such month in which the covered individual
16	is not performing such active duty service.
17	"(2) Individual described.—An individual
18	described in this paragraph is an individual who
19	is—
20	"(A) a member of the reserve components of
21	the Armed Forces; and
22	"(B) pursuing a program of education
23	using educational assistance under this chap-
24	ter.".
25	(b) APPLICATION.—The amendment made by sub-
26	section (a) shall apply with respect to a quarter, semester,

1	or term, as applicable, commencing on or after August 1,
2	2018.
3	SEC. 113. IMPROVEMENT OF INFORMATION TECHNOLOGY
4	OF THE VETERANS BENEFITS ADMINISTRA-
5	TION OF THE DEPARTMENT OF VETERANS AF-
6	FAIRS.
7	(a) Processing of Certain Educational Assist-
8	ANCE CLAIMS.—The Secretary of Veterans Affairs shall, to
9	the maximum extent possible, make such changes and im-
10	provements to the information technology system of the Vet-
11	erans Benefits Administration of the Department of Vet-
12	erans Affairs to ensure that—
13	(1) to the maximum extent possible, all original
14	and supplemental claims for educational assistance
15	under chapter 33 of title 38, United States Code, are
16	adjudicated electronically; and
17	(2) rules-based processing is used to make deci-
18	sions with respect to such claims with little human
19	intervention.
20	(b) Implementation Plan.—Not later than 180 days
21	after the date of the enactment of this Act, the Secretary
22	of Veterans Affairs shall submit to Congress a plan to im-
23	plement the changes and improvements described in sub-
24	section (a).

1	(c) Report.—Not later than one year after the date
2	of the enactment of this Act, the Secretary of Veterans Af-
3	fairs shall submit to Congress a report on the implementa-
4	tion of the changes and improvements described in sub-
5	section (a).
6	(d) Authorization of Appropriations.—There is
7	authorized to be appropriated to the Secretary of Veterans
8	Affairs \$30,000,000 to carry out this section during fiscal
9	years 2018 and 2019.
10	SEC. 114. DEPARTMENT OF VETERANS AFFAIRS HIGH TECH-
11	NOLOGY PILOT PROGRAM.
12	(a) Pilot Program.—The Secretary of Veterans Af-
13	fairs shall carry out a pilot program under which the Sec-
14	retary shall provide eligible veterans with the opportunity
15	to enroll in high technology programs of education.
16	(b) Eligibility.—For purposes of the pilot program
17	under this section, an eligible veteran is a veteran who is
18	entitled to educational assistance under chapter 30, 32, 33,
19	34, or 35 of title 38, United States Code, or chapter 1606
20	or 1607 of title 10, United States Code.
21	(c) Contracts.—
22	(1) In general.—For purposes of carrying out
23	subsection (a), by not later than 180 days after Au-
24	gust 1, 2018, the Secretary shall seek to enter into

contracts with any number of qualified providers of

25

1	high technology programs of education for the provi-
2	sion of such programs to eligible veterans under the
3	pilot program.
4	(2) Payment of contractors.—A contract
5	under this subsection shall provide that the Secretary
6	shall pay to a provider—
7	(A) upon the enrollment of an eligible vet-
8	eran in the program, 25 percent of the cost of the
9	tuition and other fees for the program of edu-
10	cation for the veteran;
11	(B) upon the completion of the program by
12	the veteran, 25 percent of such cost; and
13	(C) upon the employment of the veteran in
14	the field of study of the program following com-
15	pletion of the program, 50 percent of such cost.
16	(3) QUALIFIED PROVIDERS.—For purposes of the
17	pilot program, a provider of a high technology pro-
18	gram of education is qualified if—
19	(A) the provider has been operational for at
20	least two years;
21	(B) the provider has successfully provided
22	the high technology program for at least one
23	year; and
24	(C) the provider meets the approval criteria
25	developed by the Secretary under paragraph (4).

1	(4) Approval Criteria.—The Secretary shall
2	develop criteria for approving providers for purposes
3	of the pilot program. In developing such criteria, the
4	Secretary may consult with State approving agencies.
5	Such criteria is not required to meet the requirements
6	of section 3672 of title 38, United States Code.
7	(5) Tuition reimbursement.—In entering into
8	contracts to carry out the pilot program, the Sec-
9	retary shall give preference to a qualified provider
10	that offers tuition reimbursement for any student
11	who—
12	(A) completes a program of education of-
13	fered by the provider; and
14	(B) does not find full-time meaningful em-
15	ployment in the field of study of the program
16	within the 180-day period beginning on the date
17	the student completes the program.
18	(d) Housing Stipend.—The Secretary shall pay to
19	each eligible veteran who is enrolled in a high technology
20	program of education under the pilot program on a full-
21	time basis a monthly housing stipend equal to the prod-
22	uct—
23	(1) of—
24	(A) in the case of a veteran pursuing resi-
25	dent training, the monthly amount of the basic

1	allowance for housing payable under section 403
2	of title 37, United States Code, for a member
3	with dependents in pay grade $E ext{}5$ residing in
4	the military housing area that encompasses all
5	or the majority portion of the ZIP code area in
6	which is located the institution at which the in-
7	dividual is enrolled; or
8	(B) in the case of a veteran pursuing a pro-
9	gram of education through distance learning, a
10	monthly amount equal to 50 percent of the
11	amount payable under subparagraph (A), multi-
12	plied by
13	(2) the lesser of—
14	(A) 1.0; or
15	(B) the number of course hours borne by the
16	individual in pursuit of the program of edu-
17	cation involved, divided by the minimum num-
18	ber of course hours required for full-time pursuit
19	of such program of education, rounded to the
20	nearest multiple of 10.
21	(e) High Technology Program of Education De-
22	FINED.—In this section, the term "high technology program"
23	of education" means a program of education that—
24	(1) is offered by an entity other than an institu-
25	tion of higher learning;

1	(2) does not lead to a degree; and
2	(3) provides instruction in computer program-
3	ming, computer software, media application, data
4	processing, or information sciences.
5	(f) Reports.—
6	(1) Secretary of veterans affairs.—Not
7	later than one year after the date of the enactment of
8	this Act, and annually thereafter, the Secretary shall
9	submit to Congress a report on the pilot program
10	under this section.
11	(2) Comptroller General.—
12	(A) Interim report.—Not later than three
13	years after the date on which the Secretary first
14	enters into a contract under this section, the
15	Comptroller General of the United States shall
16	submit to Congress a report containing the re-
17	sults of the interim assessment of the Comptroller
18	General. Such report shall include the rec-
19	ommendations of the Comptroller General for
20	improving the pilot program and an assessment
21	of each of the following:
22	(i) The technology experience of the di-
23	rectors and instructors of the providers of
24	high technology programs of education
25	under the pilot program.

1	(ii) Whether the providers cooperated
2	with the technology industry to create the
3	curriculum for the program of education.
4	(iii) Whether the providers use an open
5	source curriculum for the program of edu-
6	cation.
7	(iv) The admittance rate into the pilot
8	program.
9	(v) The job placement rate for veterans
10	who completed a program of education
11	under the pilot program in the field of
12	study of the program.
13	(vi) The average salary of veterans who
14	completed a program of education under the
15	pilot program and were subsequently em-
16	ployed.
17	(vii) The average age of veterans who
18	participated in the pilot program.
19	(B) Final report.—Not later than five
20	years after the date on which the Secretary first
21	enters into a contract under this section, the
22	Comptroller General shall submit to Congress a
23	final report on the pilot program. Such report
24	shall include the recommendation of the Comp-
25	troller General with respect to whether the pro-

1	gram should be extended and an assessment of
2	each of the following:
3	(i) Each item described in clauses (i)
4	through (vii) of subparagraph (A).
5	(ii) The percentage of veterans who
6	completed a program of education under the
7	pilot program who were subsequently em-
8	ployed for a period of six months or longer
9	in a field of study of the program.
10	(iii) The percentage of veterans who
11	completed a program of education under the
12	pilot program who were subsequently em-
13	ployed for a period of less than six months
14	in a field of study of the program.
15	(g) Authorization of Appropriations.—For each
16	fiscal year during which the Secretary carries out a pilot
17	program under this section, \$15,000,000 shall be made
18	available for such purpose from funds appropriated to, or
19	otherwise made available to, the Department for the pay-
20	ment of readjustment benefits.
21	(h) Termination.—The authority to carry out a pilot
22	program under this section shall terminate on the date that
23	is five years after the date on which the Secretary first en-
24	ters into a contract under this section.

1	SEC. 115. ANNUAL REPORTS TO CONGRESS ON INFORMA-
2	TION ON STUDENT PROGRESS SUBMITTED BY
3	EDUCATIONAL INSTITUTIONS.
4	Section 3326 is amended—
5	(1) by striking "As a condition" and inserting
6	"(a) Submittal of Information by Educational
7	Institutions.—As a condition"; and
8	(2) by adding at the end the following new sub-
9	section:
10	"(b) Reports to Congress.—Not later than March
11	1 of each year, the Secretary shall submit to Congress a
12	report that includes a summary of the information provided
13	by educational institutions under subsection (a) for the cal-
14	endar year preceding the year during which such report is
15	submitted.".
16	TITLE II—OTHER EDUCATIONAL
17	ASSISTANCE PROGRAMS
18	SEC. 201. WORK-STUDY ALLOWANCE.
19	Section 3485(a)(4) is amended by striking "the period
20	beginning on June 30, 2017, and ending on June 30, 2022,"
21	each place it appears and inserting "any time on or after
22	June 30, 2017,".
23	SEC. 202. DURATION OF EDUCATIONAL ASSISTANCE UNDER
24	SURVIVORS' AND DEPENDENTS' EDU-
25	CATIONAL ASSISTANCE PROGRAM.
26	Section 3511(a)(1) is amended—

1	(1) by striking "chapter for" and all that follows
2	through the period and inserting "chapter—"; and
3	(2) by adding at the end the following new sub-
4	paragraphs:
5	"(A) in the case of a person who first enrolls in
6	a program of education using such entitlement before
7	August 1, 2018, for an aggregate period not in excess
8	of 45 months (or to the equivalent thereof in part-
9	time training); or
10	"(B) in the case of a person who first enrolls in
11	a program of education using such entitlement on or
12	after August 1, 2018, for an aggregate period not in
13	excess of 36 months (or to the equivalent thereof in
14	part-time training).".
15	SEC. 203. OLIN E. TEAGUE INCREASE IN AMOUNTS OF EDU-
16	CATIONAL ASSISTANCE PAYABLE UNDER SUR-
17	VIVORS' AND DEPENDENTS' EDUCATIONAL
18	ASSISTANCE PROGRAM.
19	(a) Increase.—Section 3532 is amended—
20	(1) in subsection (a)—
21	(A) in paragraph (1)—
22	(i) by striking "\$788" and inserting
23	<i>"\$1,224"</i> ;
24	(ii) by striking "\$592" and inserting
25	"\$967"; and

1	(iii) by striking "\$394" and inserting
2	"\$710"; and
3	(B) in paragraph $(2)(B)$, by striking
4	"\$788" and inserting "\$1,224"; and
5	(2) in subsection (b), by striking "\$788" and in-
6	serting "\$1,224".
7	(b) Effective Date.—The amendments made by sub-
8	section (a) shall apply with respect to a month that begins
9	on or after October 1, 2018.
10	TITLE III—ADMINISTRATION OF
11	EDUCATIONAL ASSISTANCE
12	PROGRAMS
13	SEC. 301. STATE APPROVING AGENCY FUNDING.
14	(a) Increase.—Section 3674(a) of title 38, United
15	States Code, is amended—
16	(1) in paragraph (2)(A), by striking "out of
17	amounts available for the payment of readjustment
18	benefits" and inserting "out of amounts in the De-
19	partment of Veterans Affairs readjustment benefits ac-
20	count and amounts appropriated to the Secretary";
21	(2) by redesignating paragraph (4) as para-
22	graph(5);
23	(3) by inserting after paragraph (3) the fol-
24	lowing new paragraph (4):

1	"(4) In addition to amounts made available under
2	paragraph (5), there is authorized to be appropriated to
3	carry out this section \$3,000,000 for fiscal year 2019 and
4	each subsequent fiscal year."; and
5	(4) in paragraph (5), as so redesignated—
6	(A) by striking "The total" and inserting
7	"(A) The total";
8	(B) by striking "for any fiscal year shall be
9	\$19,000,000" and inserting "for fiscal year 2018
10	shall be \$21,000,000 and for fiscal year 2019
11	and thereafter shall be \$23,000,000"; and
12	(C) by adding at the end the following new
13	subparagraph:
14	"(B) Beginning in fiscal year 2019, whenever there is
15	an increase in benefit amounts payable under title II of
16	the Social Security Act (42 U.S.C. 401 et seq.) as a result
17	of a determination made under section 215(i) of such Act
18	(42 U.S.C. 415(i)), the Secretary shall, effective on the date
19	of such increase in benefit amounts, increase the amount
20	in effect under subparagraph (A), as in effect immediately
21	prior to the date of such increase in benefit amounts pay-
22	able under title II of the Social Security Act, by the same
23	percentage as the percentage by which such benefit amounts
24	are increased.".

1	SEC. 302. AUTHORIZATION FOR USE OF POST-9/11 EDU-
2	CATIONAL ASSISTANCE TO PURSUE INDE-
3	PENDENT STUDY PROGRAMS AT CERTAIN
4	EDUCATIONAL INSTITUTIONS THAT ARE NOT
5	INSTITUTIONS OF HIGHER LEARNING.
6	Paragraph (4) of section 3680A(a) is amended to read
7	as follows:
8	"(4) any independent study program except an
9	independent study program (including such a pro-
10	gram taken over open circuit television) that—
11	"(A) is accredited by a nationally recog-
12	nized accrediting agency; and
13	"(B) leads—
14	"(i) to a standard college degree;
15	"(ii) to a certificate that reflects edu-
16	cational attainment offered by an institu-
17	tion of higher learning; or
18	"(iii) to a certificate that reflects com-
19	pletion of a course of study offered by—
20	"(I) an area career and technical
21	education school (as defined in sub-
22	paragraphs (C) and (D) of section 3(3)
23	of the Carl D. Perkins Career and
24	Technical Education Act of 2006 (20
25	$U.S.C.\ 2302(3)))\ that\ provides\ edu-$
26	cation at the postsecondary level: or

1	"(II) a postsecondary vocational
2	institution (as defined in section
3	102(c) of the Higher Education Act of
4	1965 (20 U.S.C. 1002(c))) that pro-
5	vides education at the postsecondary
6	level.".
7	SEC. 303. PROVISION OF INFORMATION ON PRIORITY EN-
8	ROLLMENT FOR VETERANS IN CERTAIN
9	COURSES OF EDUCATION.
10	Section $3698(c)(1)(C)$ is amended—
11	(1) in clause (ix), by striking "and" at the end;
12	(2) in clause (x), by striking the period and in-
13	serting "; and"; and
14	(3) by adding at the end the following new
15	clause:
16	"(xi) information on whether the institution
17	administers a priority enrollment system that
18	allows certain student veterans to enroll in
19	courses earlier than other students.".
20	SEC. 304. LIMITATION ON USE OF REPORTING FEES PAY-
21	ABLE TO EDUCATIONAL INSTITUTIONS AND
22	SPONSORS OF PROGRAMS OF APPRENTICE-
23	SHIP.
24	(a) In General.—Subsection (c) of section 3684 is
25	amended to read as follows:

- 1 "(c)(1) The Secretary may pay to any educational in-
- 2 stitution, or to the sponsor of a program of apprenticeship,
- 3 furnishing education or training under either this chapter
- 4 or chapter 31, 34, or 35 of this title, a reporting fee which
- 5 will be in lieu of any other compensation or reimbursement
- 6 for reports or certifications which such educational institu-
- 7 tion or sponsor of a program of apprenticeship is required
- 8 to submit to the Secretary by law or regulation.
- 9 "(2) Such reporting fee shall be computed for each cal-
- 10 endar year by multiplying \$16 by the number of eligible
- 11 veterans or eligible persons enrolled under this chapter or
- 12 chapter 31, 34, or 35 of this title. The reporting fee shall
- 13 be paid to such educational institution or sponsor of a pro-
- 14 gram of apprenticeship as soon as feasible after the end of
- 15 the calendar year for which it is applicable.
- 16 "(3) No reporting fee payable to an educational insti-
- 17 tution under this subsection shall be subject to offset by the
- 18 Secretary against any liability of such institution for any
- 19 overpayment for which such institution may be administra-
- 20 tively determined to be liable under section 3685 of this title
- 21 unless such liability is not contested by such institution or
- 22 has been upheld by a final decree of a court of appropriate
- $23\ jurisdiction.$
- 24 "(4) Any reporting fee paid to an educational institu-
- 25 tion or sponsor of a program of apprenticeship after the

- 1 date of the enactment of the Post-9/11 Veterans Educational
- 2 Assistance Improvements Act of 2011 (Public Law 111-
- 3 377)—
- 4 "(A) shall be utilized by such institution or
- 5 sponsor solely for the making of certifications re-
- 6 quired under this chapter or chapter 31, 34, or 35 of
- 7 this title or for otherwise supporting programs for
- 8 veterans; and
- 9 "(B) with respect to an institution that has 100
- or more enrollees described in paragraph (2) may not
- be used for or merged with amounts available for the
- 12 general fund of the educational institution or sponsor
- of a program of apprenticeship.
- 14 "(5) The reporting fee payable under this subsection
- 15 shall be paid from amounts appropriated for readjustment
- 16 benefits.".
- 17 (b) Effective Date.—The amendment made by sub-
- 18 section (a) shall take effect on August 1, 2018.
- 19 SEC. 305. TRAINING FOR SCHOOL CERTIFYING OFFICIALS.
- 20 (a) Training Requirement.—The Secretary of Vet-
- 21 erans Affairs shall, in consultation with the State approv-
- 22 ing agencies, set forth requirements relating to training for
- 23 school certifying officials employed by covered educational
- 24 institutions offering courses of education approved under
- 25 chapter 36 of title 38, United States Code. If a covered edu-

cational institution does not ensure that a school certifying official employed by the educational institution meets such 3 requirements, the Secretary may disapprove any course of education offered by such educational institution. 5 (b) DEFINITIONS.—In this section: 6 (1) The term "covered educational institution" 7 means an educational institution that has enrolled 20 8 or more individuals using educational assistance 9 under title 38, United States Code. 10 (2) The term "school certifying official" means 11 an employee of an educational institution with pri-12 mary responsibility for certifying veteran enrollment 13 at the educational institution. 14 (3) The term "State approving agency" means a 15 department or agency of a State designated under sec-16 tion 3671 of title 38, United States Code. 17 (c) Effective Date.—This section shall take effect 18 on August 1, 2018. 19 SEC. 306. EXTENSION OF AUTHORITY FOR ADVISORY COM-20 MITTEE ON EDUCATION.

Section 3692 is amended by striking "December 31,

22 2017" and inserting "December 31, 2022".

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21

1	SEC. 307. DEPARTMENT OF VETERANS AFFAIRS PROVISION
2	OF ON-CAMPUS EDUCATIONAL AND VOCA-
3	TIONAL COUNSELING FOR VETERANS.
4	(a) In General.—Chapter 36 is amended by insert-
5	ing after section 3697A the following new section:
6	"§3697B. On-campus educational and vocational
7	counseling
8	"(a) In General.—The Secretary shall provide edu-
9	cational and vocational counseling services for individuals
10	described in section 3697A(b) of this title at locations on
11	the campuses of institutions of higher learning selected by
12	the Secretary. Such counseling services shall be provided by
13	employees of the Department who provide such services
14	under section 3697A of this title.
15	"(b) Selection of Locations.—(1) To be selected by
16	the Secretary under this section, an institution of higher
17	learning shall provide an appropriate space on the campus
18	of the institution where counseling services can be provided
19	under this section.
20	"(2) In selecting locations for the provision of coun-
21	seling services under this section, the Secretary shall seek
22	to select locations where the maximum number of veterans
23	would have access to such services.
24	"(c) Annual Report.—Not later than 180 days after
25	the date of the enactment of this section, and each year
26	thereafter, the Secretary shall submit to Congress a report

1	on the counseling services provided under this section. Such
2	report shall include, for the year covered by the report—
3	"(1) the average ratio of counselors providing
4	such services to individuals who received such services
5	at each location where such services were provided;
6	"(2) a description of such services provided;
7	"(3) the recommendations of the Secretary for
8	improving the provision of such services; and
9	"(4) any other matters the Secretary determines
10	appropriate.".
11	(b) Clerical Amendment.—The table of sections at
12	the beginning of such chapter is amended by inserting after
13	the item relating to section 3697A the following new item:
	"3697B. On-campus educational and vocational counseling.".
14	SEC. 308. PROVISION OF INFORMATION REGARDING VET-
15	ERAN ENTITLEMENT TO EDUCATIONAL AS-
16	SISTANCE.
17	(a) In General.—Subchapter II of chapter 36 is fur-
18	ther amended by adding at the end the following new sec-
19	tion:
20	"§ 3699A. Provision of certain information to edu-
21	cational institutions
22	"(a) In General.—For each veteran or other indi-
23	vidual pursuing a course of education that has been ap-
24	proved under this chapter using educational assistance to
25	which the veteran or other individual is entitled under

- 1 chapter 30, 32, 33, or 35 of this title, the Secretary shall
- 2 make available to the educational institution offering the
- 3 course information about the amount of such educational
- 4 assistance to which the veteran or other individual is enti-
- 5 tled. Such information shall be provided to such educational
- 6 institution through a secure information technology system
- 7 accessible by the educational institution and shall be regu-
- 8 larly updated to reflect any amounts used by the veteran
- 9 or other individual.
- 10 "(b) Election.—A veteran or other individual pur-
- 11 suing a course of education described in subsection (a) may
- 12 elect not to provide the information described in such sub-
- 13 section to an educational institution in a manner pre-
- 14 scribed by the Secretary.".
- 15 (b) Clerical Amendment.—The table of sections at
- 16 the beginning of such chapter is further amended by insert-
- 17 ing after the item relating to section 3699 the following new
- 18 *item*:

"3699A. Provision of certain information to educational institutions.".

- 19 (c) Effective Date.—Section 3699A of title 38,
- 20 United States Code, as added by this section, shall take ef-
- 21 fect on August 1, 2018.

1	SEC. 309. TREATMENT, FOR PURPOSES OF EDUCATIONAL
2	ASSISTANCE ADMINISTERED BY THE SEC-
3	RETARY OF VETERANS AFFAIRS, OF EDU-
4	CATIONAL COURSES THAT BEGIN SEVEN OR
5	FEWER DAYS AFTER THE FIRST DAY OF AN
6	ACADEMIC TERM.
7	Section 3684(a) is amended—
8	(1) by redesignating paragraph (4) as para-
9	graph (5); and
10	(2) by inserting after paragraph (3) the fol-
11	lowing new paragraph (4):
12	"(4) A course offered by an educational institution
13	that does not begin on the first day of an academic term,
14	but does begin seven or fewer days after such day, shall be
15	treated as beginning on such day for purposes of this sec-
16	tion.".
17	TITLE IV—RESERVE
18	COMPONENT BENEFITS
19	SEC. 401. ELIGIBILITY OF RESERVE COMPONENT MEMBERS
20	FOR POST-9/11 EDUCATIONAL ASSISTANCE.
21	(a) In General.—Section 3301(1)(B) is amended by
22	striking "or 12304" and inserting "12304, 12304a, or
23	12304b".
24	(b) Retroactive Application.—The amendment
25	made by subsection (a) shall apply with respect to service
26	in the Armed Forces occurring on or after the date of the

1	$enactment\ of\ the\ Post-9/11\ Veterans\ Educational\ Assistance$
2	Act of 2008 (Public Law 110–252).
3	(c) Application With Respect to Use of Entitle-
4	MENT.—An individual who is entitled to educational assist-
5	ance by reason of the amendment made by subsection (a)
6	may use such entitlement to pursue a course of education
7	beginning on or after August 1, 2018.
8	SEC. 402. TIME LIMITATION FOR TRAINING AND REHABILI-
9	TATION FOR VETERANS WITH SERVICE-CON-
10	NECTED DISABILITIES.
11	Section 3103(f) is amended by striking "or 12304"
10	and inserting "12304, 12304a, or 12304b".
12	and instruing 12504, 12504a, or 125040.
13	TITLE V—OTHER MATTERS
13	TITLE V—OTHER MATTERS
13 14	TITLE V—OTHER MATTERS SEC. 501. REPEAL INAPPLICABILITY OF MODIFICATION OF
131415	TITLE V—OTHER MATTERS SEC. 501. REPEAL INAPPLICABILITY OF MODIFICATION OF BASIC ALLOWANCE FOR HOUSING TO BENE-
13 14 15 16	TITLE V—OTHER MATTERS SEC. 501. REPEAL INAPPLICABILITY OF MODIFICATION OF BASIC ALLOWANCE FOR HOUSING TO BENE- FITS UNDER LAWS ADMINISTERED BY SEC-
13 14 15 16 17	TITLE V—OTHER MATTERS SEC. 501. REPEAL INAPPLICABILITY OF MODIFICATION OF BASIC ALLOWANCE FOR HOUSING TO BENE- FITS UNDER LAWS ADMINISTERED BY SEC- RETARY OF VETERANS AFFAIRS.
13 14 15 16 17 18	TITLE V—OTHER MATTERS SEC. 501. REPEAL INAPPLICABILITY OF MODIFICATION OF BASIC ALLOWANCE FOR HOUSING TO BENE- FITS UNDER LAWS ADMINISTERED BY SEC- RETARY OF VETERANS AFFAIRS. (a) REPEAL.—Subsection (b) of section 604 of the Carl
13 14 15 16 17 18 19	TITLE V—OTHER MATTERS SEC. 501. REPEAL INAPPLICABILITY OF MODIFICATION OF BASIC ALLOWANCE FOR HOUSING TO BENE- FITS UNDER LAWS ADMINISTERED BY SEC- RETARY OF VETERANS AFFAIRS. (a) REPEAL.—Subsection (b) of section 604 of the Carl Levin and Howard P. "Buck" McKeon National Defense
13 14 15 16 17 18 19 20	TITLE V—OTHER MATTERS SEC. 501. REPEAL INAPPLICABILITY OF MODIFICATION OF BASIC ALLOWANCE FOR HOUSING TO BENE- FITS UNDER LAWS ADMINISTERED BY SEC- RETARY OF VETERANS AFFAIRS. (a) REPEAL.—Subsection (b) of section 604 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-
13 14 15 16 17 18 19 20 21	TITLE V—OTHER MATTERS SEC. 501. REPEAL INAPPLICABILITY OF MODIFICATION OF BASIC ALLOWANCE FOR HOUSING TO BENE- FITS UNDER LAWS ADMINISTERED BY SEC- RETARY OF VETERANS AFFAIRS. (a) REPEAL.—Subsection (b) of section 604 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113- 291; 37 U.S.C. 403 note) is repealed.

1	ment to educational assistance under chapter 33 of title 38,
2	United States Code, on or after such date.
3	SEC. 502. RECONSIDERATION OF PREVIOUSLY DENIED
4	CLAIMS FOR DISABILITY COMPENSATION FOR
5	VETERANS WHO ALLEGE FULL-BODY EXPO-
6	SURE TO NITROGEN MUSTARD GAS, SULFUR
7	MUSTARD GAS, OR LEWISITE DURING WORLD
8	WAR II.
9	(a) In General.—
10	(1) Reconsideration required.—The Sec-
11	retary of Veterans Affairs shall reconsider all claims
12	for compensation described in paragraph (2) and
13	make a new determination regarding each such claim.
14	(2) Claims for compensation described.—A
15	claim for compensation described in this paragraph is
16	a claim for compensation under chapter 11 of title
17	38, United States Code, that the Secretary deter-
18	mines—
19	(A) arose from the alleged full-body exposure
20	of a veteran to a covered substance—
21	(I) during active military, naval, or
22	air service during World War II; and
23	(ii) at a site listed in paragraph (3);
24	and

1	(B) was denied before the date of the enact-
2	ment of this Act.
3	(3) Sites.—The sites listed in this paragraph
4	are the following:
5	(A) Camp Siebert, Alabama.
6	(B) Fort McClellan, Alabama.
7	(C) Huntsville Arsenal, Alabama.
8	(D) Rocky Mountain Arsenal, Colorado.
9	(E) Naval Research Laboratory, D.C.
10	(F) Bushnell Field, Florida.
11	(G) Great Lakes Naval Training Center, Il-
12	linois.
13	(H) Edgewood Arsenal, Maryland.
14	(I) Fort Detrick, Maryland.
15	(J) Naval Research Laboratory, Maryland.
16	(K) Naval Training Center, Bainbridge,
17	Maryland.
18	$(L)\ Horn\ Island\ Installation,\ Mississippi.$
19	(M) Camp Crowder, Missouri.
20	(N) Hart's Island, New York.
21	(O) Camp Lejeune, North Carolina.
22	(P) Charleston, South Carolina.
23	(Q) Dugway Proving Ground, Utah.
24	(R) Toole Army Depot, Utah.
25	(S) Naval Research Laboratory, Virginia.

1	(T) U.S.S. Eagle Boat No. 58.
2	(U) Ondal, India.
3	(V) Fort Clayton, San Jose Island, Pan-
4	ama.
5	(W) Any site the Secretary of Veterans Af-
6	fairs determines is appropriate.
7	(4) Factors of consideration.—In making a
8	determination under paragraph (1), the Secretary—
9	(A) shall consider—
10	(i) that contemporaneous records of
11	testing of full-body exposure to a covered
12	substance frequently may be unavailable be-
13	cause such tests were classified or such
14	records were lost or destroyed;
15	(ii) that many veterans were sworn to
16	secrecy following testing described in clause
17	(i);
18	(iii) each statement based on personal
19	knowledge of a veteran who served at a site
20	listed in paragraph (3);
21	(iv) information in the report from the
22	Secretary of Defense under subsection
23	(b)(2); and
24	(v) any evidence the Secretary con-
25	siders relevant: and

1	(B) may not determine that testing of full-
2	body exposure to a covered substance did not
3	occur at a site based solely on—
4	(i) information contained in the De-
5	partment of Defense and Department of Vet-
6	erans Affairs Chemical Biological Warfare
7	Database; or
8	(ii) any list of known sites of testing of
9	full-body exposure to a covered substance
10	maintained by the Department of Veterans
11	Affairs or the Department of Defense.
12	(5) Presumption of exposure.—In carrying
13	out paragraph (1), when the Secretary of Veterans Af-
14	fairs makes a determination regarding whether a vet-
15	eran experienced full-body exposure to a covered sub-
16	stance, the Secretary—
17	(A) shall presume, unless there is affirma-
18	tive evidence to establish otherwise, that the vet-
19	eran experienced such exposure by reason of the
20	service of the veteran in World War II—
21	(i) based on the locations listed in
22	paragraph (3); and
23	(ii) consistent with the places, types,
24	and circumstances of service of the veteran

1	in accordance with section 1154 of title 38;
2	and
3	(B) shall resolve each reasonable doubt in
4	favor of the veteran.
5	(6) Effective date of Award.—The effective
6	date of any award of disability compensation result-
7	ing from reconsideration of a claim under paragraph
8	(1) shall be fixed in accordance with the facts found,
9	but shall not be earlier than the date of the receipt
10	of the claim for compensation described in paragraph
11	(2).
12	(b) Investigation and Report by the Secretary
13	OF DEFENSE.—Not later than 180 days after the date of
14	the enactment of this Act, the Secretary of Defense shall—
15	(1) investigate and assess each site—
16	(A) where the Army Corps of Engineers has
17	uncovered evidence of testing conducted by the
18	Department of Defense during World War II to
19	assess the effects of full-body exposure to a cov-
20	ered substance on humans; or
21	(B) with regards to which more than two
22	veterans have been denied claims for compensa-
23	tion under chapter 11 of title 38, United States
24	Code, in connection with exposure to a covered
25	substance at such site; and

1	(2) submit to the appropriate congressional com-
2	mittees and the Secretary of Veterans Affairs a report
3	on testing described in paragraph (1)(A), including—
4	(A) a list of each location where such testing
5	occurred, including locations investigated and
6	assessed under paragraph (1);
7	(B) the dates of each such testing; and
8	(C) the number of members of the Armed
9	Forces who experienced full-body exposure to a
10	covered substance in each such testing.
11	(c) Investigation and Report by Secretary of
12	Veterans Affairs.—Not later than 180 days after the
13	date of the enactment of this Act, the Secretary of Veterans
14	Affairs shall—
15	(1) investigate and assess—
16	(A) the actions taken by the Secretary to
17	contact individuals who experienced full-body ex-
18	posure to a covered substance in the course of
19	$testing\ described\ in\ subsection\ (b)(1)(A);$
20	(B) the number of claims filed with the Sec-
21	retary for disability compensation under chapter
22	11 of title 38, United States Code, arising from
23	testing described in subsection $(b)(1)(A)$; and
24	(C) the percentage of claims described in
25	subparagraph (B) that the Secretary denied.

1	(2) submit to the appropriate congressional com-
2	mittees and the Secretary of Defense a report regard-
3	ing the investigations and assessments carried out
4	under paragraph (1).
5	(d) Definitions.—In this section:
6	(1) The terms "active military, naval, or air
7	service", "veteran", and "World War II" have the
8	meanings given such terms in section 101 of title 38,
9	United States Code.
10	(2) The term "appropriate congressional com-
11	mittees" means—
12	(A) the Committees on Armed Services of
13	the House of Representatives and the Senate; and
14	(B) the Committees on Veterans' Affairs of
15	the House of Representatives and the Senate.
16	(3) The term "covered substance" means—
17	(A) nitrogen mustard gas;
18	(B) sulfur mustard gas; or
19	(C) Lewisite.
20	(4) The term "full-body exposure", with respect
21	to a covered substance, has the meaning given that
22	term by the Secretary of Defense.

Union Calendar No. 179

115TH CONGRESS H. R. 3218

[Report No. 115-247, Part I]

BILL

To amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other

 $J_{\rm ULY}$ 24, 2017

Reported from the Committee on Veterans' Affairs with an amendment

July 24, 2017

The Committee on Armed Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed