

115TH CONGRESS  
1ST SESSION

# H. R. 758

To amend title 38, United States Code, to authorize veterans who are entitled to educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs to use such entitlement to participate in a career transition internship program for veterans.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 2017

Mr. SCHNEIDER (for himself and Mr. YOHIO) introduced the following bill;  
which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to authorize veterans who are entitled to educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs to use such entitlement to participate in a career transition internship program for veterans.

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 “GI Internship Program  
5 Act”.

1 **SEC. 2. PROGRAM ON PROVISION OF CAREER TRANSITION**  
2 **SERVICES TO YOUNG VETERANS.**

3 (a) IN GENERAL.—Subchapter II of chapter 33 of  
4 title 38, United States Code, is amended by adding at the  
5 end the following new section:

6 **“§ 3320. Career transition internship program**

7 “(a) IN GENERAL.—The internship program de-  
8 scribed in subsection (b) shall be deemed to be an ap-  
9 proved program of education for purposes of this chapter.

10 “(b) INTERNSHIP PROGRAM.—The Secretary of Vet-  
11 erans Affairs shall establish a program to match individ-  
12 uals entitled to educational assistance under this chapter  
13 with eligible employers providing internships for the pur-  
14 pose of—

15 “(1) providing such individuals with work expe-  
16 rience in the civilian sector;

17 “(2) addressing the growing skills gap in the  
18 United States economy;

19 “(3) increasing the marketable skills of such in-  
20 dividuals; and

21 “(4) assisting such individuals in obtaining  
22 long-term employment.

23 “(c) ELIGIBLE EMPLOYERS.—

24 “(1) IN GENERAL.—For purposes of the pro-  
25 gram, an eligible employer is an employer deter-  
26 mined by the Secretary to meet such criteria for

1 participation in the program as the Secretary shall  
2 establish for purposes of the program.

3 “(2) PAST PERFORMANCE ON CERTAIN MAT-  
4 TERS.—The criteria established by the Secretary  
5 under paragraph (1) may include past performance  
6 of an employer with respect to the following:

7 “(A) Job training, basic skills training,  
8 and related activities.

9 “(B) Financial accountability.

10 “(C) Demonstrated need to hire, desire to  
11 grow, and plan to grow.

12 “(D) Demonstrated high potential for  
13 growth and long-term job creation.

14 “(3) FOR-PROFIT AND NOT-FOR-PROFIT EM-  
15 PLOYERS.—The employers determined by the Sec-  
16 retary to be eligible employers under paragraph (1)  
17 may include both for-profit and not-for-profit em-  
18 ployers.

19 “(4) SMALL BUSINESS CONCERNS.—In deter-  
20 mining employers to be eligible employers under  
21 paragraph (1), the Secretary shall ensure that small  
22 business concerns (under the meaning given that  
23 term under section 3(a) of the Small Business Act  
24 (15 U.S.C. 632(a))) are afforded opportunities to  
25 participate in the program.

1           “(5) MANUFACTURING.—In determining em-  
2           ployers to be eligible employers under paragraph (1),  
3           the Secretary shall give special consideration to em-  
4           ployers in the manufacturing sector.

5           “(6) EXCLUSIONS.—The following employers  
6           may not be determined to be eligible employers  
7           under paragraph (1):

8                   “(A) An agency of the Federal Govern-  
9                   ment or a State or local government.

10                   “(B) An employer that has previously par-  
11                   ticipated in the program and, as determined by  
12                   the Secretary, failed to abide by any require-  
13                   ment of the program.

14                   “(C) An employer that cannot give an as-  
15                   surance to the Secretary at the time of applica-  
16                   tion for participation in the program under sub-  
17                   section (f), and in such manner as the Sec-  
18                   retary shall specify pursuant to that subsection,  
19                   on each matter as follows:

20                           “(i) That the employer has not been  
21                           investigated or subject to a case or action  
22                           by the Federal Trade Commission during  
23                           the 180-day period ending on the date the  
24                           employer would otherwise commence par-  
25                           ticipation in the program.

1           “(ii) That the employer has been in  
2           good standing with a State business bu-  
3           reau during the period described in clause  
4           (i).

5           “(iii) That the employer is not delin-  
6           quent with respect to payment of any taxes  
7           or employer contributions described under  
8           sections 3301 and 3302(a)(1) of the Inter-  
9           nal Revenue Code of 1986 (26 U.S.C.  
10          3301 and 3302(a)(1)).

11          “(iv) That the employer would not re-  
12          quest the placement of an additional eligi-  
13          ble individual under the program, if after  
14          such additional placement, the number of  
15          eligible individuals placed in internships at  
16          such employer under the program would  
17          constitute more than 10 percent of the eli-  
18          gible employer’s workforce. For purposes  
19          of the previous sentence, being an intern  
20          under the program placed at an employer  
21          shall be considered part of the employer’s  
22          workforce.

23          “(v) That the employer has the inten-  
24          tion of retaining eligible participants after

1           such participants have completed participa-  
2           tion in the program.

3       “(d) INTERNSHIPS.—

4           “(1) IN GENERAL.—For each individual entitled  
5       to educational assistance under this chapter whom  
6       the Secretary approves for participation in the pro-  
7       gram established under subsection (b), the Secretary  
8       shall attempt to place such individual in an intern-  
9       ship on a full-time basis with an eligible employer  
10      that the Secretary has approved for participation in  
11      the program. For each month such an individual  
12      participates in such an internship on a full-time  
13      basis, the Secretary shall pay to the individual the  
14      amount of educational assistance described in sec-  
15      tion 3313(g)(3)(B) of this title.

16           “(2) DURATION.—Each internship under the  
17      program shall be for a period of at least 180 days  
18      but not more than one year.

19           “(3) EMPLOYMENT STATUS.—For purposes of  
20      the Patient Protection and Affordable Care Act  
21      (Public Law 111–148), an individual placed in an  
22      internship with an eligible employer under the pro-  
23      gram shall be considered an employee of the Depart-  
24      ment of Veterans Affairs and not the eligible em-

1        ployer during the period of such internship under  
2        the program.

3            “(4) RELATION TO OTHER FEDERAL ASSIST-  
4        ANCE.—Notwithstanding any other provision of law,  
5        pay received by an individual under this subsection  
6        may not be used in any calculation to determine the  
7        eligibility of such individual for any Federal program  
8        for the purpose of obtaining child care assistance.

9            “(5) CERTIFICATION.—For each month that an  
10       individual participates in an internship under the  
11       program established by subsection (b), the individual  
12       and the eligible employer providing the internship  
13       shall submit to the Secretary certification that the  
14       individual worked at least 35 hours each week for  
15       the eligible employer performing functions that pro-  
16       vided the individual with valuable experience.

17       “(e) PARTICIPATION.—

18            “(1) APPLICATION.—

19            “(A) IN GENERAL.—An eligible employer  
20       or individual seeking to participate in the pro-  
21       gram shall submit to the Secretary an applica-  
22       tion therefor at such time, in such manner, and  
23       containing such information as the Secretary  
24       shall specify.

1                   “(B) REQUIREMENTS FOR ELIGIBLE EM-  
2                   PLOYERS.—An application submitted by an eli-  
3                   gible employer under subparagraph (A) shall in-  
4                   clude a certification or other information, in  
5                   such form and manner as the Secretary shall  
6                   specify, on each of the assurances required by  
7                   subsection (c)(5)(C), including the assurance  
8                   that the employer has the intention of retaining  
9                   eligible participants after they have completed  
10                  participation in the program as provided in  
11                  clause (v) of that subsection.

12                 “(2) TIME OF APPLICATION FOR CERTAIN ELI-  
13                 GIBLE INDIVIDUALS.—A member of the Armed  
14                 Forces on active duty who expects to be entitled for  
15                 educational assistance under this chapter may sub-  
16                 mit an application to participate in the program not  
17                 earlier than 180 days before the date on which the  
18                 member expects to be discharged or released from  
19                 the Armed Forces.

20                 “(3) SELECTION.—The Secretary shall review  
21                 each application submitted by an applicant under  
22                 paragraph (1) and approve or disapprove the appli-  
23                 cant for participation in the program.

24                 “(f) OUTREACH.—



1           “(1) IN GENERAL.—The Secretary of Veterans  
2       Affairs and the Secretary of Labor shall jointly  
3       carry out a program of outreach to inform eligible  
4       employers and eligible individuals about the program  
5       and the benefits of participating in the program.

6           “(2) INTERNET PORTAL.—The Secretary of  
7       Veterans Affairs and the Secretary of Labor shall  
8       work together to create and publicize an Internet  
9       website to serve as a portal for eligible individuals  
10      and eligible employers to learn about the program  
11      and apply.

12          “(3) INCLUDED LOCATIONS AND GROUPS.—The  
13      Secretary of Veterans Affairs and the Secretary of  
14      Labor shall ensure that any outreach program and  
15      activities conducted under paragraph (1) include, to  
16      the extent practicable, rural communities, tribal  
17      lands of the United States, Native Americans, and  
18      tribal organizations (as defined in section 3765 of  
19      title 38, United States Code).

20          “(g) MINIMIZATION OF BURDENS ON PARTICIPATING  
21      EMPLOYERS.—The Secretary shall take such measures as  
22      may be necessary to minimize administrative burdens in-  
23      curred by eligible employers due to participation in the  
24      program and to ensure that employer participation in the  
25      program is at no cost to the employer.

1 “(h) REPORTS.—

2 “(1) IN GENERAL.—Not later than 45 days  
3 after the completion of the first year of the program  
4 and not later than 90 days after the completion of  
5 the second and third years of the program, the Sec-  
6 retary shall submit to Congress a report on the pro-  
7 gram.

8 “(2) CONTENTS.—Each report submitted under  
9 paragraph (1) shall include the following:

10 “(A) An evaluation of the program.

11 “(B) The number and characteristics of  
12 participants in the program.

13 “(C) The number and types of internships  
14 in which individuals were placed under the pro-  
15 gram.

16 “(D) The number of individuals who ob-  
17 tained long-term full-time unsubsidized employ-  
18 ment positions after participation in the pro-  
19 gram, the hourly wage and nature of such em-  
20 ployment, and if available, whether such indi-  
21 viduals were still employed in such positions  
22 three months after obtaining such positions.

23 “(E) An assessment of the effect of the  
24 program on earnings of the individuals who

1 participated and the employment of such indi-  
2 viduals.

3 “(F) Such recommendations for legislative  
4 and administrative action as the Secretary may  
5 have to improve the program, to expand the  
6 program, or to improve the employment of indi-  
7 viduals entitled to educational assistance under  
8 this chapter.”.

9 (b) CLERICAL AMENDMENT.—The table of sections  
10 at the beginning of such chapter is amended by inserting  
11 after the item relating to section 3319 the following new  
12 item:

“3320. Career transition internship program.”.

