

117TH CONGRESS
1ST SESSION

H. R. 2167

IN THE SENATE OF THE UNITED STATES

MAY 19, 2021

Received; read twice and referred to the Committee on Veterans' Affairs

AN ACT

To amend title 38, United States Code, to provide for extensions of the time limitations for use of entitlement under Department of Veterans Affairs educational assistance programs by reason of school closures due to emergency and other situations, 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.**

4 This Act may be cited as the “GI Bill National Emer-
5 gency Extended Deadline Act”.

6 **SEC. 2. EXTENSION OF TIME LIMITATION FOR USE OF ENTI-**
7 **TLEMENT UNDER DEPARTMENT OF VET-**
8 **ERANS AFFAIRS EDUCATIONAL ASSISTANCE**
9 **PROGRAMS BY REASON OF SCHOOL CLO-**
10 **SURES DUE TO EMERGENCY AND OTHER SIT-**
11 **UATIONS.**

12 (a) MONTGOMERY GI BILL.—Section 3031 of title
13 38, United States Code, is amended—

14 (1) in subsection (a), by inserting “and sub-
15 section (i)” after “through (g)”; and

16 (2) by adding at the end the following new sub-
17 section:

18 “(i)(1) In the case of an individual eligible for edu-
19 cational assistance under this chapter who is prevented
20 from pursuing the individual’s chosen program of edu-
21 cation before the expiration of the 10-year period for the
22 use of entitlement under this chapter otherwise applicable
23 under this section because of a covered reason, as deter-
24 mined by the Secretary, such 10-year period—

1 “(A) shall not run during the period the indi-
 2 vidual is so prevented from pursuing such program;
 3 and

4 “(B) shall again begin running on a date deter-
 5 mined by the Secretary that is—

6 “(i) not earlier than the first day after the
 7 individual is able to resume pursuit of a pro-
 8 gram of education with educational assistance
 9 under this chapter; and

10 “(ii) not later than 90 days after that day.

11 “(2) In this subsection, a covered reason is—

12 “(A) the temporary or permanent closure of an
 13 educational institution by reason of an emergency
 14 situation; or

15 “(B) another reason that prevents the indi-
 16 vidual from pursuing the individual’s chosen pro-
 17 gram of education, as determined by the Sec-
 18 retary.”.

19 (b) POST-9/11 EDUCATIONAL ASSISTANCE.— Section
 20 3321(b)(1) of such title is amended—

21 (1) by inserting “(A)” before “Subsections”;

22 (2) by striking “and (d)” and inserting “(d),
 23 and (i)”; and

24 (3) by adding at the end the following new sub-
 25 paragraph:

1 “(B) Subsection (i) of section 3031 of this title
 2 shall apply with respect to the running of the 15-
 3 year period described in paragraphs (4)(A) and
 4 (5)(A) of this subsection in the same manner as
 5 such subsection (i) applies under such section 3031
 6 with respect to the running of the 10-year period de-
 7 scribed in subsection (a) of such section.”.

8 **SEC. 3. EXTENSION OF PERIOD OF ELIGIBILITY BY REASON**
 9 **OF SCHOOL CLOSURES DUE TO EMERGENCY**
 10 **AND OTHER SITUATIONS UNDER DEPART-**
 11 **MENT OF VETERANS AFFAIRS TRAINING AND**
 12 **REHABILITATION PROGRAM FOR VETERANS**
 13 **WITH SERVICE-CONNECTED DISABILITIES.**

14 Section 3103 of title 38, United States Code, is
 15 amended—

16 (1) in subsection (a), by striking “or (g)” and
 17 inserting “(g), or (h)”; and

18 (2) by adding at the end the following new sub-
 19 section:

20 “(h)(1) In the case of a veteran who is eligible for
 21 a vocational rehabilitation program under this chapter and
 22 who is prevented from participating in the vocational reha-
 23 bilitation program within the period of eligibility pre-
 24 scribed in subsection (a) because of a covered reason, as
 25 determined by the Secretary, such period of eligibility—

1 “(A) shall not run during the period the vet-
2 eran is so prevented from participating in such pro-
3 gram; and

4 “(B) shall again begin running on a date deter-
5 mined by the Secretary that is—

6 “(i) not earlier than the first day after the
7 veteran is able to resume participation in a vo-
8 cational rehabilitation program under this chap-
9 ter; and

10 “(ii) not later than 90 days after that day.

11 “(2) In this subsection, a covered reason is—

12 “(A) the temporary or permanent closure of an
13 educational institution by reason of an emergency
14 situation; or

15 “(B) another reason that prevents the veteran
16 from participating in the vocational rehabilitation
17 program, as determined by the Secretary.”.

1 **SEC. 4. DEPARTMENT OF VETERANS AFFAIRS DIS-**
2 **APPROVAL OF COURSES OFFERED BY PUBLIC**
3 **INSTITUTIONS OF HIGHER LEARNING THAT**
4 **DO NOT CHARGE VETERANS THE IN-STATE**
5 **TUITION RATE FOR PURPOSES OF SUR-**
6 **VIVORS' AND DEPENDENTS' EDUCATIONAL**
7 **ASSISTANCE PROGRAM.**

8 (a) IN GENERAL.—Section 3679(c) of title 38,
9 United States Code, is amended—

10 (1) in paragraph (1), by striking “or 33” and
11 inserting “33, or 35”;

12 (2) in paragraph (2), by adding at the end the
13 following new subparagraph:

14 “(D) An individual who is entitled to assistance
15 under section 3510 of this title.”; and

16 (3) in paragraph (6), by striking “and 33” and
17 inserting “33, and 35”.

18 (b) CONFORMING AMENDMENTS.—Section 3679(e)
19 of such title is amended—

20 (1) in paragraph (1)—

21 (A) in subparagraph (A), by striking “or
22 33” and inserting “, 33, or 35”; and

23 (B) in subparagraph (B), by striking “or
24 33” and inserting “33, or 35”; and

25 (2) in paragraph (2), by striking “or 33” and
26 inserting “33, or 35”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this Act shall take effect on the date of the enactment
3 of this Act and shall apply with respect to an academic
4 period that begins on or after August 1, 2022.

5 **SEC. 5. IMPROVEMENTS TO INFORMATION TECHNOLOGY**
6 **SERVICES USED TO PROCESS CLAIMS FOR**
7 **EDUCATIONAL ASSISTANCE.**

8 (a) MODERN INFORMATION TECHNOLOGY SERV-
9 ICE.—The Secretary of Veterans Affairs shall implement
10 an information technology service to process claims for
11 educational assistance under chapters 30, 33, 35, and 36
12 of title 38, United States Code, using one or more com-
13 mercial software systems. The Secretary shall complete
14 such implementation not later than August 1, 2024.

15 (b) REQUIRED CAPABILITIES.—The Secretary shall
16 ensure that the modern information technology service
17 under subsection (a) has the following capabilities:

18 (1) As compared to legacy information tech-
19 nology systems—

20 (A) the ability to process claims faster and
21 in a more efficient manner by improving proc-
22 essing integration and accuracy;

23 (B) improved data exchange and reporting;
24 and

1 (C) improved customer integration and
2 simplification of the online experience.

3 (2) Timely communication by employees of the
4 Department of Veterans Affairs to individuals and
5 educational institutions using an online portal that
6 can provide real-time information on claims for edu-
7 cational assistance.

8 (3) The ability to be customized to address fu-
9 ture capabilities required by law.

10 (4) Fully automated to the extent practicable
11 for all original and supplemental claims, including
12 with respect to calculating accurate awards.

13 (5) The ability for individuals entitled to edu-
14 cational assistance to electronically apply for, with-
15 draw from, and amend such entitlement, and to re-
16 allocate a transferred entitlement.

17 (6) The ability to electronically process changes
18 made by educational institutions.

19 (7) The ability to verify attendance at an edu-
20 cational institution.

21 (8) The ability to process validations made by
22 an educational institution.

23 (c) INITIAL REPORT.—Not later than 120 days after
24 the date of the enactment of this Act, the Secretary shall
25 submit to the Committees on Veterans' Affairs of the

1 House of Representatives and the Senate a report con-
2 taining information on the cost, schedule, and perform-
3 ance of the project for implementing such system, includ-
4 ing, with respect to such project, the following:

5 (1) An estimate of acquisition, implementation,
6 and life cycle costs (including all direct and indirect
7 costs to acquire, implement, operate, and maintain
8 such system).

9 (2) An intended implementation schedule indi-
10 cating significant milestones, initial operating capa-
11 bility, and full operating capability or completion.

12 (3) Key business, functional, or performance
13 objectives.

14 (4) With respect to both original claims and
15 supplemental claims processed on a monthly basis,
16 statistics regarding—

17 (A) the number of such claims processed
18 using legacy information systems;

19 (B) the number of such claims that were
20 off-ramped and processed manually; and

21 (C) the number of such claims estimated
22 to be processed using the modern information
23 technology service.

24 (5) The amount of savings that are estimated
25 to be realized from using the modern information

1 technology service rather than legacy information
2 technology systems.

3 (6) The estimated accuracy of processing
4 claims.

5 (7) The estimated timeliness for—

6 (A) processing original claims; and

7 (B) processing supplemental claims.

8 (8) A description of how the modern informa-
9 tion technology service will—

10 (A) automate the processing of original
11 claims; and

12 (B) automate the processing of supple-
13 mental claims.

14 (d) DEFINITIONS.—In this section:

15 (1) The term “legacy information technology
16 system” means an information technology system
17 used by the Department of Veterans Affairs to proc-
18 ess claims for educational assistance under chapters
19 30, 33, 35, and 36 of title 38, United States Code,
20 before the date on which the Secretary of Veterans
21 Affairs awards a contract under subsection (a) for
22 the modern information technology service.

23 (2) The term “modern information technology
24 service” means the information technology service
25 implemented under subsection (a) to process claims

1 for educational assistance under chapters 30, 33, 35,
2 and 36 of title 38, United States Code.

3 **SEC. 6. TIME PERIOD FOR ELIGIBILITY UNDER SURVIVORS'**
4 **AND DEPENDENTS' EDUCATIONAL ASSIST-**
5 **ANCE PROGRAM OF DEPARTMENT OF VET-**
6 **ERANS AFFAIRS.**

7 (a) IN GENERAL.—Section 3512 of title 38, United
8 States Code, is amended—

9 (1) by redesignating subsection (h) as sub-
10 section (f); and

11 (2) by adding at the end the following new sub-
12 section:

13 “(g) Notwithstanding any other provision of this sec-
14 tion, the following persons may be afforded educational
15 assistance under this chapter at any time after August
16 1, 2023, and without regard to the age of the person:

17 “(1) A person who first becomes an eligible per-
18 son on or after August 1, 2023.

19 “(2) A person who—

20 “(A) first becomes an eligible person be-
21 fore August 1, 2023; and

22 “(B) becomes 18 years of age, or com-
23 pletes secondary schooling, on or after August
24 1, 2023.”.

1 (b) CONFORMING AMENDMENTS.—Such section is
2 further amended—

3 (1) in subsection (a), by striking “The edu-
4 cational” and inserting “Except as provided in sub-
5 section (g), the educational”;

6 (2) in subsection (b)—

7 (A) in paragraph (1)(A), by inserting
8 “subsection (g) or” after “provided in”; and

9 (B) in paragraph (2), by striking “Not-
10 withstanding” and inserting “Except as pro-
11 vided in subsection (g), notwithstanding”; and

12 (3) in subsection (e), by striking “No person”
13 and inserting “Except as provided in subsection (g),
14 no person”.

15 **SEC. 7. PILOT PROGRAM ON SHORT-TERM FELLOWSHIP**
16 **PROGRAMS.**

17 (a) AUTHORITY.—The Assistant Secretary of Labor
18 for Veterans’ Employment and Training shall carry out
19 a pilot program under which a State may use a grant or
20 contract under section 4102A(b)(5) of title 38, United
21 States Code, to carry out a short-term fellowship program.

22 (b) LOCATIONS; AGREEMENTS.—The Secretary shall
23 select at least three, but not more than five, States to
24 carry out a short-term fellowship program pursuant to
25 subsection (a). Each such State shall enter into an agree-

1 ment with a non-profit organization to carry out such pro-
2 gram.

3 (c) SHORT-TERM FELLOWSHIP PROGRAM.—Each
4 short-term fellowship program carried out by a State pur-
5 suant to subsection (a) shall—

6 (1) consist of veterans participating as fellows
7 with an employer for a period not exceeding 20
8 weeks;

9 (2) provide to such veterans a monthly stipend
10 during such period; and

11 (3) provide to such veterans an opportunity to
12 be employed on a long-term basis with the employer
13 following such period.

14 (d) AMOUNT OF STIPEND.—The amount of the sti-
15 pend provided to a veteran pursuant to subsection (c)(2)
16 for a month shall be the amount equal to the amount of
17 the wages earned by the veteran during that month for
18 participating in the fellowship.

19 (e) COMPTROLLER GENERAL REPORT.—Not later
20 than four years after the date on which the pilot program
21 commences under this section, the Comptroller General of
22 the United States shall submit to the Committees on Vet-
23 erans' Affairs of the House of Representatives and the
24 Senate a report on the pilot program.

1 (f) DEFINITION OF STATE.—In this section, the term
2 “State” has the meaning given such term in section
3 4101(6) of title 38, United States Code.

4 (g) AUTHORIZATION OF APPROPRIATIONS.—In addi-
5 tion to funds made available under section 4102A(b)(5)
6 of title 38, United States Code, there is authorized to be
7 appropriated to the Assistant Secretary to carry out the
8 pilot program under this section \$15,000,000 for each of
9 fiscal years 2021 through 2025.

10 **SEC. 8. DETERMINATION OF BUDGETARY EFFECTS.**

11 The budgetary effects of this Act, for the purpose of
12 complying with the Statutory Pay-As-You-Go Act of 2010,
13 shall be determined by reference to the latest statement
14 titled “Budgetary Effects of PAYGO Legislation” for this
15 Act, submitted for printing in the Congressional Record
16 by the Chairman of the House Budget Committee, pro-
17 vided that such statement has been submitted prior to the
18 vote on passage.

Passed the House of Representatives May 18, 2021.

Attest: CHERYL L. JOHNSON,
Clerk.