

VETERANS' ADVISORY COMMITTEE ON EDUCATION  
IMPROVEMENT ACT OF 2013

SEPTEMBER 17, 2013.—Committed to the Committee of the Whole House on the  
State of the Union and ordered to be printed

Mr. MILLER of Florida, from the Committee on Veterans' Affairs,  
submitted the following

R E P O R T

[To accompany H.R. 2011]

[Including cost estimate of the Congressional Budget Office]

The Committee on Veterans' Affairs, to whom was referred the  
bill (H.R. 2011) to amend title 38, United States Code, to provide  
for a two-year extension of the Veterans' Advisory Committee on  
Education, having considered the same, report favorably thereon  
without amendment and recommend that the bill do pass.

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## PURPOSE

H.R. 2011, the Veterans' Advisory Committee on Education Improvement Act of 2013, was introduced on May 16, 2013 by Representative John K. Delaney of Maryland. The bill would reauthorize the Veterans' Advisory Committee on Education at the U.S. Department of Veterans Affairs' (VA) for two years.

## BACKGROUND AND NEED FOR LEGISLATION

*Section 1—Short title*

Veterans' Advisory Committee on Education Improvement Act of 2013.

*Section 2—Two-year extension of Veterans' Advisory Committee on Education*

Public Law 89-358 (80 Stat. 12) established an advisory committee on education, currently codified in section 3692 of title 38, United States Code (U.S.C.). The Advisory Committee provides advice to the Secretary of Veterans Affairs on the administration of education and training programs for veterans and servicemembers, reservists and guard personnel, and for dependents of veterans under Chapters 30, 32, 33, 35 and 36 of title 38, U.S.C. and Chapter 1606 of title 10, U.S.C.

The Advisory Committee advises the Secretary of Veterans Affairs regarding existing VA education benefit programs and services; recommends needed new education benefit programs and services; and assists in long-range planning and development. Its recommendations may involve proposed regulatory and administrative changes, as well as legislative proposals. The Advisory Committee may consider matters dealing with the education programs administered by VA either at the request of the Secretary, a properly designated official, or may act on its own initiative. The Advisory Committee submits its recommendations and reports to the Secretary and may also submit its reports to the Congress.

The Advisory Committee is composed of persons who are "eminent in their respective fields of education, labor, management," and persons at institutions who provide education under title 37 and title 10, U.S.C. The Advisory Committee membership is also, to the maximum extent practical, to be comprised of veteran representatives of the past major conflicts of the United States, beginning with World War II. The U.S. Department of Education's Assistant Secretary of Education for Postsecondary Education and the U.S. Department of Labor's Assistant Secretary of Veterans' Employment and Training are ex-officio members.

The Veterans Advisory Committee on Education authority expires on December 31, 2013. This Committee believes the Advisory Committee provides worthwhile advice to the Secretary of Veterans Affairs on veterans' education issues; thus the Committee believes the Advisory Committee should continue to assist the Secretary to better manage the educational assistance programs and stay abreast of new and on-going problems. As veterans' education continues to evolve, the Secretary should have experts that can be relied upon to provide timely advice on issues ranging from technology, quality of education, and the regulation of schools participating in veterans' education programs. This view was also held by

all witnesses at the Committees' June 26, 2013 legislative hearing on H.R. 2011. Therefore section 2 of H.R. 2011 would re-authorize the Advisory Committee through December 31, 2015.

#### HEARINGS

On June 26, 2013, the Subcommittee on Economic Opportunity conducted a legislative hearing on various bills introduced during the 113th Congress, including H.R. 2011. The following witnesses testified at the hearing:

The Honorable Ken Calvert; The Honorable Elijah E. Cummings; The Honorable John Delaney; The Honorable Alan Grayson; The Honorable Bill Johnson; Mr. Curtis Coy, Deputy Under Secretary of Economic Opportunity, Veterans Benefits Administration, U.S. Department of Veterans Affairs, who was accompanied by Mr. John Brizzi, Deputy Assistant General Counsel, U.S. Department of Veterans Affairs; Mr. Frank C. DiGiovanni, Director, Training Readiness and Strategy, Office of the Undersecretary of Defense for Personnel and Readiness, U.S. Department of Defense; Mr. Ryan M. Gallucci, Deputy Director, National Legislative Service, Veterans of Foreign Wars of the United States; Mr. Jeffery Steele, Assistant Director, National Legislative Commission, The American Legion; and MG Andrew "Drew" Davis, USMC (Ret.) Executive Director, The Reserve Officers Association. The following submitted statements for the record: The Honorable Tammy Duckworth, U.S. Department of Labor, and Vietnam Veterans of America.

#### SUBCOMMITTEE CONSIDERATION

On July 18, 2013, the Subcommittee on Economic Opportunity met in an open markup session, a quorum being present, and favorably forwarded H.R. 2011 to the Full Committee by voice vote.

#### COMMITTEE CONSIDERATION

On August 1, 2013, the Full Committee met in an open markup session, a quorum being present, and ordered H.R. 2011 reported favorably to the House of Representatives, by voice vote.

#### COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list recorded votes on motions to report legislation and amendments thereto. There were no recorded votes taken on amendments or in connection with ordering H.R. 2011 reported to the House. A motion by Ranking Member Michael H. Michaud of Maine to report H.R. 2011 favorably to the House of Representatives was agreed to by voice vote.

#### COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

## STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee's performance goals and objectives are reflected in the descriptive portions of this report.

## NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the estimate of new budget authority, entitlement authority, or tax expenditures or revenues contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

## EARMARKS AND TAX AND TARIFF BENEFITS

H.R. 2011 does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

## COMMITTEE COST ESTIMATE

The Committee adopts as its own the cost estimate on H.R. 2011 prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the following is the cost estimate for H.R. 2011 provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

AUGUST 8, 2013.

Hon. JEFF MILLER,  
*Chairman, Committee on Veterans' Affairs,*  
*House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2011, the Veterans' Advisory Committee on Education Improvement Act of 2013.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is William Ma.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

*H.R. 2011—Veterans' Advisory Committee on Education Improvement Act of 2013*

H.R. 2011 would extend the Secretary of Veterans Affairs' authority to operate the Veterans' Advisory Committee on Education through December 31, 2015. Under current law, that authority expires December 31, 2013. The Committee meets annually to provide advice and recommendations to the Secretary on the administration of education and training programs for veterans and other eligible individuals. The bill also would modify the composition of the Committee to include veterans of recent operations in Iraq and

Afghanistan and representatives of institutions that furnish vocational rehabilitation services to veterans.

Based on information from the Department of Veterans Affairs, CBO estimates that implementing H.R. 2011 would cost less than \$500,000 over the 2014–2018 period, assuming the availability of appropriated funds. Enacting the bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is William Ma. The estimate was approved by Peter H. Fontaine, Assistant Director for Budget Analysis.

#### FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates regarding H.R. 2011 prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

#### ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act would be created by H.R. 2011.

#### STATEMENT OF CONSTITUTIONAL AUTHORITY

Pursuant to Article I, section 8 of the United States Constitution, the reported bill is authorized by Congress' power to "provide for the common Defense and general Welfare of the United States."

#### APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

#### STATEMENT ON DUPLICATION OF FEDERAL PROGRAMS

Pursuant to section 3(j) of H. Res. 5, 113th Cong. (2013), the Committee finds that no provision of H.R. 2011, "Veterans Advisory Committee on Education Improvement Act of 2013" establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

#### DISCLOSURE OF DIRECTED RULEMAKING

Pursuant to section 3(k) of H. Res. 5, 113th Cong. (2013), the Committee estimates that H.R. 2011 does not require any directed rule makings.

## SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

*Section 1—Short title*

This section provides the short title of H.R. 2011 as the “Veterans Advisory Committee on Education Improvement Act of 2013.”

*Section 2—Two year extension of Veterans’ Advisory Committee on Education*

This section would amend section 3692 of title 38, U.S.C., to require VA, to the maximum extent possible, to include veterans of the Post-9/11 operations in Iraq and Afghanistan as members of the Advisory Committee. The section would also re-authorize the advisory committee until December 31, 2015.

## CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

**TITLE 38, UNITED STATES CODE**

\* \* \* \* \*

**PART III—READJUSTMENT AND RELATED BENEFITS**

\* \* \* \* \*

**CHAPTER 36—ADMINISTRATION OF EDUCATIONAL BENEFITS**

\* \* \* \* \*

**SUBCHAPTER II—MISCELLANEOUS PROVISIONS**

\* \* \* \* \*

**§ 3692. Advisory committee**

(a) There shall be a Veterans’ Advisory Committee on Education formed by the Secretary which shall be composed of persons who are eminent in their respective fields of education, labor, and management and of representatives of institutions and establishments furnishing education to eligible veterans or persons enrolled under chapter 30, 31, 32, 33, or 35 of this title and chapter 1606 of title 10. The committee shall also, to the maximum extent practicable, include veterans representative of World War II, the Korean conflict era, the post-Korean conflict era, the Vietnam era, the post-Vietnam era, [and the Persian Gulf War] *the Persian Gulf War, and the post-9/11 operations in Iraq and Afghanistan*. The Assistant Secretary of Education for Postsecondary Education (or such other comparable official of the Department of Education as the Secretary of Education may designate) and the Assistant Secretary

of Labor for Veterans' Employment and Training shall be ex officio members of the advisory committee.

\* \* \* \* \*

(c) The committee shall remain in existence until **December 31, 2013** *December 31, 2015*.

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