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. McCarty, 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 Con-
necticut, Ms. Gabbard, Mr. Takano, Mr. Thompson of California, Mr.
Petersen, Mr. O’Rourke, Miss Rice of New York, Ms. Rosen, Mr.
Brown of Maryland, Mrs. Davis of California, Mr. Carrajal, Mr.
Butterfield, Ms. Kuster of New Hampshire, Ms. Brownley of Cali-
fornia, Ms. Wasserman Schultz, Mr. Correa, Mr. DeFazio, Mr. Pan-
etta, Mr. Moulton, Ms. Titus, Ms. Sinema, Mr. Bishop of Georgia,
Mr. Palazzo, Mr. Richmond, and Mr. Courtney) introduced the fol-
lowing 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 con-
cerned

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.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Harry W. Colmery Veterans Educational Assistance Act of 2017”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

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. Consolidation of certain eligibility tiers under Post-9/11 Educational Assistance Program of the Department of Veterans Affairs.

Sec. 103. Educational assistance under Post-9/11 Educational Assistance Program for members of the Armed Forces awarded the Purple Heart.

Sec. 104. 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. 105. Calculation of monthly housing stipend under Post-9/11 Educational Assistance Program based on location of campus where classes are attended.

Sec. 106. Charge to entitlement for certain licensure and certification tests and national tests under Department of Veterans Affairs Post-9/11 Educational Assistance Program.

Sec. 107. Restoration of entitlement to educational assistance and other relief for veterans affected by school closure or disapproval.

Sec. 108. Inclusion of Fry Scholarship recipients in Yellow Ribbon G.I. Education Enhancement Program.

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.
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.
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.

(a) In General.—Section 3301(1)(B) of title 38, United States Code, is amended by inserting “12301(h),” after “12301(g),”.

(b) Retroactive Application.—The amendment made by subsection (a) shall apply with respect to service in the Armed Forces occurring on or after September 11, 2001.

(c) Application With Respect to Use of Entitlement.—An individual who is entitled to educational assistance by reason of the amendment made by subsection (a) may use such entitlement to pursue a course of education beginning on or after August 1, 2018.
SEC. 102. CONSOLIDATION OF CERTAIN ELIGIBILITY TIERS UNDER POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) Entitlement.—Section 3311(b) of title 38, United States Code, is amended—

(1) in paragraph (6)(A), by striking “12 months” and inserting “6 months”;

(2) by striking paragraph (7); and

(3) by redesignating paragraphs (8) and (9) as paragraphs (7) and (8), respectively.

(b) Amount of Educational Assistance.—Section 3313(c) of such title is amended by striking paragraph (7).

(c) Conforming Amendments.—Sections 3311, 3313, 3316, 3322, and 3679 of such title are further amended—

(1) in section 3311(f), by striking “paragraph (9)” each place it appears and inserting “paragraph (8)”;

(2) in section 3313—

(A) in subsection (c)(1), by striking “(9)” and inserting “(8)”;

(B) in subsection (d), by striking “paragraphs (2) through (7)” each place it appears and inserting “paragraphs (2) through (6)”;
(C) in subsection (e)(2)(C)—
   (i) by striking “paragraphs (3) through (8)” and inserting “paragraphs (3) through (7)”;
   and
   (ii) by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6)”;
(D) in subsection (f)(2)(A)(ii), by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6)”;
(E) in subsection (g)(3)—
   (i) in subparagraph (A)(iv)—
      (I) by striking “paragraphs (3) through (8)” and inserting “paragraphs (3) through (7)”;
      and
      (II) by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6)”;
   (ii) in subparagraph (B)(iii)—
      (I) by striking “paragraphs (3) through (8)” and inserting “paragraphs (3) through (7)”;
      and
      (II) by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6)”;

VerDate Sep 11 2014 23:55 Jul 17, 2017 Jkt 069200 PO 00000 Frm 00006 Fmt 6652 Sfmt 6201 E:\BILLS\H3218.IH H3218rfrederick on DSK3GLQ082PROD with BILLS
(iii) in subparagraph (C)(ii)—

(I) in subclause (I), by striking “(9)” and inserting “(8)”; and

(II) in subclause (II)—

(aa) by striking “paragraphs (3) through (8)” and inserting “paragraphs (3) through (7)”;

and

(bb) by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6)”;

and

(iv) in subparagraph (D)(ii)—

(I) in subclause (I), by striking “(9)” and inserting “(8)”; and

(II) in subclause (II)—

(aa) by striking “paragraphs (3) through (8)” and inserting “paragraphs (3) through (7)”;

and

(bb) by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6)”;

and
(F) in subsection (h), by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6)”;

(3) in section 3316—

(A) in subsection (a)(1), by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6)”; and

(B) in subsection (b)(1), by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6)”;

(4) in section 3321(b)(4), by striking “section 3311(b)(9)” and inserting “section 3311(b)(8)”;

(5) in section 3322—

(A) in subsection (e), by striking “3311(b)(9)” and inserting “3311(b)(8)”;

(B) in subsection (f), by striking “3311(b)(9)” and inserting “3311(b)(8)”; and

(C) in subsection (h)(2), by striking “3311(b)(9)” and inserting “3311(b)(8)”;

(6) in section 3679(c)(2)(B), by striking “3311(b)(9)” and inserting “3311(b)(8)”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2018.
SEC. 103. EDUCATIONAL ASSISTANCE UNDER POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM FOR MEMBERS OF THE ARMED FORCES AWARDED THE PURPLE HEART.

(a) Eligibility.—Section 3311(b) of title 38, United States Code, as amended by section 102, is further amended by adding at the end the following new paragraph:

“(9) An individual who is awarded the Purple Heart for service in the Armed Forces occurring on or after September 11, 2001, and continues to serve on active duty in the Armed Forces or is discharged or released from active duty as described in subsection (c).”.

(b) Amount of Assistance.—Section 3313(c)(1) of such title is further amended by striking “or (8)” and inserting “(8), or (9)”.

(c) Yellow Ribbon Eligibility.—Section 3317(a) of such title is amended in the second sentence by striking “paragraphs (1) and (2)” and inserting “paragraphs (1), (2), and (9)”.

(d) Effective Date.—The amendments made by this section shall take effect on August 1, 2018.
SEC. 104. 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.

(a) Election.—Section 16167 of title 10, United States Code, is amended by adding at the end the following new subsection:

```
(c) Eligibility for Post-9/11 Educational Assistance.—A member who loses eligibility for benefits under this chapter pursuant to subsection (b) shall be allowed to elect (in such form and manner as the Secretary of Veterans Affairs may prescribe) to have such service previously credited toward this chapter credited towards establishing eligibility for educational assistance under chapter 33 of title 38, notwithstanding the provisions of section 16163(e) of this title or section 3322(h)(1) of title 38.''
```

(b) Qualification of Service.—Section 3301(1) of title 38, United States Code, shall be construed to include, in the case of a member of a reserve component of the Armed Forces who, before November 25, 2015, established eligibility for educational assistance under chapter 1607 of title 10, United States Code, pursuant to section 16163(a)(1) of such title, but lost eligibility for such
educational assistance pursuant to section 16167(b) of such title, service on active duty (as defined in section 101 of such title) that satisfies the requirements of section 16163(a)(1) of such title.

(c) Entitlement.—Section 3311(b)(6) of title 38, United States Code, as amended by section 104(a), shall be construed to include an individual who, before November 25, 2015, established eligibility for educational assistance under chapter 1607 of title 10, United States Code, pursuant to section 16163(b) of such title, but lost such eligibility pursuant to section 16167(b) of such title.

(d) Duration.—Notwithstanding section 3312 of title 38, United States Code, an individual who establishes eligibility for educational assistance under chapter 33 of such title by crediting towards such chapter service previously credited towards chapter 1607 of title 10, United States Code, is only entitled to a number of months of educational assistance under section 3313 of title 38, United States Code, equal to the number of months of entitlement remaining under chapter 1607 of title 10, United States Code, at the time of conversion to chapter 33 of title 38, United States Code.
SEC. 105. CALCULATION OF MONTHLY HOUSING STIPEND UNDER POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM BASED ON LOCATION OF CAMPUS WHERE CLASSES ARE ATTENDED.

(a) In General.—Section 3313(c)(1)(B)(i)(I) of title 38, United States Code, is amended by striking “the institution of higher learning at which the individual is enrolled” and inserting “the campus of the institution of higher learning where the individual physically participates in a majority of classes”.

(b) Effective Date.—The amendment made by subsection (a) shall apply with respect to initial enrollment in a program of education on or after August 1, 2018.

SEC. 106. CHARGE TO ENTITLEMENT FOR CERTAIN LICENSURE AND CERTIFICATION TESTS AND NATIONAL TESTS UNDER DEPARTMENT OF VETERANS AFFAIRS POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM.

(a) Licensure and Certification Tests.—Subsection (c) of section 3315 of title 38, United States Code, is amended—

(1) by striking “shall be determined at the rate of one month” and inserting “shall be pro-rated based on the actual amount of the fee charged for the test relative to the rate for one month”; and
(2) by striking “for each amount paid that equals” and inserting “payable”.

(b) NATIONAL TESTS.—Section 3315A of such title is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(3) A national test that evaluates prior learning and knowledge and provides an opportunity for course credit at an institution of higher learning as so described.”; and

(2) in subsection (c)—

(A) by striking “shall be determined at the rate of one month” and inserting “shall be prorated based on the actual amount of the fee charged for the test relative to the rate for one month”; and

(B) by striking “for each amount paid that equals” and inserting “payable”.

(c) TESTS INCLUDED.—Section 3452(b) of such title is amended in the last sentence—

(1) by striking “and national tests providing” and inserting “, national tests providing”; and

(2) by inserting before the period at the end the following: “, and national tests that evaluate prior learning and knowledge and provides an opportunity
for course credit at an institution of higher learning”.

(d) EFFECTIVE DATE.—The amendments made by this Act shall apply to a test taken on or after August 1, 2018.

SEC. 107. RESTORATION OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE AND OTHER RELIEF FOR VETERANS AFFECTED BY SCHOOL CLOSURE OR DISAPPROVAL.

(a) EFFECTS.—

(1) IN GENERAL.—Chapter 36 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 3699. Effects of closure or disapproval of educational institution

“(a) CLOSURE OR DISAPPROVAL.—Any payment of educational assistance described in subsection (b) shall not—

“(1) be charged against any entitlement to educational assistance of the individual concerned; or

“(2) be counted against the aggregate period for which section 3695 of this title limits the receipt of educational assistance by such individual.

“(b) EDUCATIONAL ASSISTANCE DESCRIBED.—Subject to subsection (c), the payment of educational assist-
ance described in this paragraph is the payment of such assistance to an individual for pursuit of a course of education at an educational institution under chapter 30, 32, 33, or 35 of this title, or chapter 1606 or 1607 of title 10, if the Secretary determines that the individual—

“(1) was forced to discontinue the pursuit of such course as a result of—

“(A) the permanent closure of the educational institution; or

“(B) the disapproval of such course under this chapter by reason of—

“(i) a provision of law enacted after the date on which the individual enrolls at such institution affecting the approval or disapproval of courses under this chapter; or

“(ii) after the date on which the individual enrolls at such institution, the Secretary prescribing or modifying regulations or policies of the Department affecting such approval or disapproval; and

“(2) did not receive credit, or lost training time, toward completion of the program of education being so pursued.
“(c) Period Not Charged.—The period for which, by reason of this subsection, educational assistance is not charged against entitlement or counted toward the applicable aggregate period under section 3695 of this title shall not exceed the aggregate of—

“(1) the portion of the period of enrollment in the course from which the individual failed to receive credit or with respect to which the individual lost training time, as determined under subsection (b)(2), and

“(2) the period by which a monthly stipend is extended under section 3680(a)(2)(B) of this title.

“(d) Continuing Pursuit of Disapproved Courses.—(1) The Secretary may treat a course of education that is disapproved under this chapter as being approved under this chapter with respect to an individual described in paragraph (2) if the Secretary determines, on a case-by-case basis, that—

“(A) such disapproval is the result of an action described in clause (i) or (ii) of subsection (b)(1)(B); and

“(B) continuing pursuing such course is in the best interest of the individual.

“(2) An individual described in this paragraph is an individual who is pursuing a course of education at an
educational institution under chapter 30, 32, 33, or 35
of this title, or chapter 1606 or 1607 of title 10, as of
the date on which the course is disapproved under this
chapter.”.

(2) CLERICAL AMENDMENT.—The table of sec-
tions at the beginning of such chapter is amended
by inserting after the item relating to section 3698
the following new item:

“3699. Effects of closure or disapproval of educational institution.”.

(b) MONTHLY HOUSING STIPEND.—

(1) IN GENERAL.—Subsection (a) section 3680
of such title is amended—

(A) by striking the matter after paragraph
(3)(B);

(B) in paragraph (3), by redesignating
subparagraphs (A) and (B) as clauses (i) and
(ii), respectively;

(C) by redesignating paragraphs (1)
through (3) as subparagraphs (A) through (C),
respectively;

(D) in the matter preceding subparagraph
(A), as redesignated, in the first sentence, by
striking “Payment of” and inserting “(1) Ex-
cept as provided in paragraph (2), payment of”; and
(E) by adding at the end the following new paragraph (2):

“(2) Notwithstanding paragraph (1), the Secretary may, pursuant to such regulations as the Secretary shall prescribe, continue to pay allowances to eligible veterans and eligible persons enrolled in courses set forth in paragraph (1)(A)—

“(A) during periods when educational institutions are temporarily closed under an established policy based on an Executive order of the President or due to an emergency situation, except that the total number of weeks for which allowances may continue to be so payable in any 12-month period may not exceed four weeks; or

“(B) solely for the purpose of awarding a monthly housing stipend described in section 3313 of this title, during periods following a permanent closure of an educational institution, or following the disapproval of a course of study described in section 3699(b)(1)(B) of this title, except that payment of such a stipend may only be continued until the earlier of—

“(i) the date of the end of the term, quarter, or semester during which the closure or disapproval occurred; and
“(ii) the date that is 120 days after the
date of the closure or disapproval.”.

(2) CONFORMING AMENDMENT.—Paragraph
(1)(C)(ii) of such subsection, as redesignated, is
amended by striking “described in subclause (A) of
this clause” and inserting “described in clause (i)”.

(e) APPLICABILITY.—The amendments made by this
section 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.

SEC. 108. INCLUSION OF FRY SCHOLARSHIP RECIPIENTS IN
YELLOW RIBBON G.I. EDUCATION ENHANCE-
MENT PROGRAM.

(a) IN GENERAL.—Section 3317(a) of title 38,
United States Code, is amended by striking “paragraphs
(1) and (2) of section 3311(b)” and inserting “paragraphs
(1), (2), (8), and (9) of section 3311(b) of this title”.

(b) EFFECTIVE DATE.—The amendment made by
subsection (a) shall take effect on August 1, 2018.
SEC. 109. ADDITIONAL AUTHORIZED TRANSFER OF UNUSED POST-9/11 EDUCATIONAL ASSISTANCE BENEFITS TO DEPENDENTS UPON DEATH OF ORIGINALLY DESIGNATED DEPENDENT.

(a) Transfer Upon Death of Dependent.—Section 3319 of title 38, United States Code, is amended—

(1) in subsection (f)(1), by inserting after “section 3321” the following: “, and except as provided in subsection (k) or (l),”; and

(2) by adding at the end the following new subsection:

“(k) Additional Transfer Upon Death of Dependent.—In the case of a dependent to whom entitlement to educational assistance is transferred under this section who dies before using all of such entitlement, the individual who transferred the entitlement to the dependent may transfer any remaining entitlement to a different eligible dependent, notwithstanding whether the individual is serving as a member of the Armed Forces when such transfer is executed.

“(l) Transfer by Dependent.—In the case of an individual who transfers entitlement to educational assistance under this section who dies before the dependent to whom entitlement to educational assistance is so transferred has used all of such entitlement, such dependent
may transfer such entitlement to another eligible dependent in accordance with the provisions of this section.”.

(b) Effective Dates.—

(1) Eligible Deaths.—The amendments made by this section shall apply with respect to deaths occurring on or after August 1, 2009.

(2) Use of Entitlement.—A dependent to whom entitlement to educational assistance is transferred under subsection (k) or (l) of section 3319 of title 38, United States Code, as added by subsection (a), may use such entitlement to pursue a course of education beginning on or after August 1, 2018.

SEC. 110. EDITH NOURSE ROGERS STEM SCHOLARSHIP.

(a) In General.—Subchapter II of chapter 33 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 3320. Edith Nourse Rogers STEM Scholarship

“(a) In General.—Subject to the limitation under subsection (f), the Secretary shall provide additional benefits to eligible individuals selected by the Secretary under this section. Such benefits shall be known as the ‘Edith Nourse Rogers STEM Scholarship’.

“(b) Eligibility.—For purposes of this section, an eligible individual is an individual—
“(1) who is or was entitled to educational assistance under section 3311 of this title;

“(2) who has used all of the educational assistance to which the individual is entitled under this chapter or will, based on the individual’s rate of usage, use all of such assistance within 180 days of applying for benefits under this section;

“(3) who applies for assistance under this section; and

“(4) who—

“(A) is an individual who—

“(i) is enrolled in a program of education leading to a post-secondary degree that requires more than the standard 128 semester (or 192 quarter) credit hours for completion in—

“(I) biological or biomedical science;

“(II) physical science;

“(III) science technologies or technicians;

“(IV) computer and information science and support services;

“(V) mathematics or statistics;

“(VI) engineering;
“(VII) engineering technologies or an engineering-related field;

“(VIII) a health profession or related program; or

“(IX) a medical residency program; and

“(ii) has completed at least 60 standard semester (or 90 quarter) credit hours in a field referred to in clause (i); or

“(B) is an individual who has earned a post-secondary degree in a field referred to in subparagraph (A)(i) and is enrolled in a program of education leading to a teaching certification.

“(c) PRIORITY.—In selecting eligible individuals to receive additional benefits under this section, the Secretary shall give priority to the following individuals:

“(1) Individuals who require the most credit hours described in subsection (b)(4).

“(2) Individuals who are entitled to educational assistance under this chapter by reason of paragraph (1), (2), (8), or (9) of section 3311(b) of this title.

“(d) AMOUNT OF ASSISTANCE.—(1) The Secretary shall pay to each eligible individual who receives additional
benefits under this section a one-time, lump sum payment that is the lesser of the following amounts (adjusted with respect to the individual pursuant to paragraphs (2) through (7) of section 3313(c), as appropriate):

“(A) The amount payable under section 3313 of this title for nine months of the program of education in which the individual is enrolled.

“(B) $30,000.

“(2) The Secretary may not pay to such an individual an amount in addition to the amount payable under paragraph (1) by reason of section 3317 of this title.

“(3) An individual who receives additional benefits under this section may also receive amounts payable by a college or university pursuant to section 3317 of this title.

“(e) Prohibition on Transfer.—An individual who receives additional benefits under this section may not transfer any amount of such additional benefits under section 3319 of this title.

“(f) Maximum Amount of Total Assistance.—The total amount of benefits paid to all eligible individuals under this section may not exceed $100,000,000 for any fiscal year.”.

(b) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by inserting
after the item relating to section 3319 the following new item:

“3320. Edith Nourse Rogers STEM Scholarship.”

(c) EFFECTIVE DATE.—Section 3320 of title 38, United States Code, shall take effect on August 1, 2018.

SEC. 111. HONORING THE NATIONAL SERVICE OF MEMBERS OF THE ARMED FORCES BY ELIMINATION OF TIME LIMITATION FOR USE OF ENTITLEMENT.

(a) In General.—Subsection (a) of section 3321 of title 38, United States Code, is amended—

(1) by striking “individual’s entitlement” and all that follows through the period and inserting “individual’s entitlement—”; and

(2) by adding at the end the following new paragraphs:

“(1) in the case of an individual who first becomes entitled to such entitlement before January 1, 2018, expires at the end of the 15-year period beginning on the date of such individual’s last discharge or release from active duty; or

“(2) in the case of an individual who first becomes entitled to such entitlement on or after January 1, 2018, shall not expire.”.

(b) CHILDREN OF DECEASED MEMBERS.—Subsection (b)(4) of such section is amended—
(1) by inserting “of this title” after “3311(b)(8)”;

(2) by striking “child’s entitlement” and all that follows through the period and inserting “child’s entitlement—”; and

(3) by adding at the end the following new subparagraphs:

“(A) in the case of a child who first becomes entitled to such entitlement before January 1, 2018, expires at the end of the 15-year period beginning on the date of such child’s eighteenth birthday; or

“(B) in the case of a child who first becomes entitled to such entitlement on or after January 1, 2018, shall not expire.”.

SEC. 112. MONTHLY STIPEND FOR CERTAIN MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES RECEIVING POST-9/11 EDUCATIONAL ASSISTANCE.

(a) In General.—Section 3313 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(j) Determination of Monthly Stipends During Certain Active Duty Service.—
“(1) Pro rata basis.—In any month in which an individual described in paragraph (2) is performing active duty service described in section 3301(1)(B) of this title, the Secretary shall determine the amount of monthly stipends payable under this section for such month on a pro rata basis for the period of such month in which the covered individual is not performing such active duty service.

“(2) Individual described.—An individual described in this paragraph is an individual who is—

“(A) a member of the reserve components of the Armed Forces; and

“(B) pursuing a program of education using educational assistance under this chapter.”.

(b) Application.—The amendment made by subsection (a) shall apply with respect to a quarter, semester, or term, as applicable, commencing on or after August 1, 2018.

SEC. 113. IMPROVEMENT OF INFORMATION TECHNOLOGY OF THE VETERANS BENEFITS ADMINISTRATION OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) Processing of certain educational assistance claims.—The Secretary of Veterans Affairs shall,
to the maximum extent possible, make such changes and
improvements to the information technology system of the
Veterans Benefits Administration of the Department of
Veterans Affairs to ensure that—

(1) to the maximum extent possible, all original
and supplemental claims for educational assistance
under chapter 33 of title 38, United States Code,
are adjudicated electronically; and

(2) rules-based processing is used to make deci-
sions with respect to such claims with little human
intervention.

(b) IMPLEMENTATION PLAN.—Not later than 180
days after the date of the enactment of this Act, the Sec-
retary of Veterans Affairs shall submit to Congress a plan
to implement the changes and improvements described in
subsection (a).

(c) REPORT.—Not later than one year after the date
of the enactment of this Act, the Secretary of Veterans
Affairs shall submit to Congress a report on the implemen-
tation of the changes and improvements described in sub-
section (a).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is
authorized to be appropriated to the Secretary of Veterans
Affairs $30,000,000 to carry out this section during fiscal
years 2018 and 2019.
SEC. 114. DEPARTMENT OF VETERANS AFFAIRS HIGH TECHNOLOGY PILOT PROGRAM.

(a) Pilot Program.—The Secretary of Veterans Affairs shall carry out a pilot program under which the Secretary shall provide eligible veterans with the opportunity to enroll in high technology programs of education.

(b) Eligibility.—For purposes of the pilot program under this section, an eligible veteran is a veteran who is entitled to educational assistance under the laws administered by the Secretary.

(c) Contracts.—

(1) In General.—For purposes of carrying out subsection (a), by not later than 180 days after August 1, 2018, the Secretary shall seek to enter into contracts with multiple qualified providers of high technology programs of education for the provision of such programs to eligible veterans under the pilot program.

(2) Payment of Contractors.—A contract under this subsection shall provide that the Secretary shall pay to a provider—

(A) 25 percent of the cost of providing the program of education upon the enrollment of an eligible veteran in the program;

(B) 25 percent of such cost upon the completion of the program by the veteran; and
(C) 50 percent of such cost upon the employment of the veteran in the field of study of the program following completion of the program.

(3) QUALIFIED PROVIDERS.—For purposes of the pilot program, a provider of a high technology program of education is qualified if—

(A) the provider has been operational for at least two years;

(B) the provider has successfully provided the high technology program for at least one year; and

(C) the provider meets the approval criteria developed by the Secretary under paragraph (4).

(4) APPROVAL CRITERIA.—The Secretary shall develop criteria for approving providers for purposes of the pilot program. In developing such criteria, the Secretary may consult with State approving agencies. Such criteria is not required to meet the requirements of section 3672 of title 38, United States Code.

(5) TUITION REIMBURSEMENT.—In entering into contracts to carry out the pilot program, the Secretary shall give preference to a qualified pro-
vider that offers tuition reimbursement for any stu-
dent who—

(A) completes a program of education of-
fered by the provider; and

(B) does not find full-time meaningful em-
ployment in the field of study of the program
within the 180-day period beginning on the date
the student completes the program.

(d) HOUSING STIPEND.—The Secretary shall pay to
each eligible veteran who is enrolled in a high technology
program of education under the pilot program on a full-
time basis a monthly housing stipend equal to the prod-
uct—

(1) of—

(A) in the case of a veteran pursuing resi-
dent training, the monthly amount of the basic
allowance for housing payable under section
403 of title 37, United States Code, for a mem-
ber with dependents in pay grade E–5 residing
in the military housing area that encompasses
all or the majority portion of the ZIP code area
in which is located the institution at which the
individual is enrolled; or

(B) in the case of a veteran pursuing a
program of education through distance learn-
ing, a monthly amount equal to 50 percent of
the amount payable under subparagraph (A),
multiplied by
(2) the lesser of—
(A) 1.0; or
(B) the number of course hours borne by
the individual in pursuit of the program of edu-
cation involved, divided by the minimum num-
ber of course hours required for full-time pur-
suit of such program of education, rounded to
the nearest multiple of 10.

devised.—In this section, the term “high technology
program of education” means a program of education
that—
(1) is offered by an entity other than an institu-
tion of higher learning;
(2) does not lead to a degree; and
(3) provides instruction in computer program-
mming, computer software, media application, data
processing, or information sciences.
Reports.—
(1) Secretary of Veterans Affairs.—Not
later than one year after the date of the enactment
of this Act, and annually thereafter, the Secretary
shall submit to Congress a report on the pilot program under this section.

(2) COMPTROLLER GENERAL.—

(A) INTERIM REPORT.—Not later than three years after the date on which the Secretary first enters into a contract under this section, the Comptroller General of the United States shall submit to Congress a report containing the results of the interim assessment of the Comptroller General. Such report shall include the recommendations of the Comptroller General for improving the pilot program and an assessment of each of the following:

(i) The technology experience of the directors and instructors of the providers of high technology programs of education under the pilot program.

(ii) Whether the providers cooperated with the technology industry to create the curriculum for the program of education.

(iii) Whether the providers use an open source curriculum for the program of education.

(iv) The admittance rate into the pilot program.
(v) The job placement rate for veterans who completed a program of education under the pilot program in the field of study of the program.

(vi) The average salary of veterans who completed a program of education under the pilot program and were subsequently employed.

(vii) The average age of veterans who participated in the pilot program.

(B) Final Report.—Not later than five years after the date on which the Secretary first enters into a contract under this section, the Comptroller General shall submit to Congress a final report on the pilot program. Such report shall include the recommendation of the Comptroller General with respect to whether the program should be extended and an assessment of each of the following:

(i) Each item described in clauses (i) through (vii) of subparagraph (A).

(ii) The percentage of veterans who completed a program of education under the pilot program who were subsequently
employed for a period of six months or longer in a field of study of the program.

(iii) The percentage of veterans who completed a program of education under the pilot program who were subsequently employed for a period of less than six months in a field of study of the program.

(g) Authorization of Appropriations.—There is authorized to be appropriated to the Secretary of Veterans Affairs $15,000,000 for each fiscal year during which the Secretary carries out a pilot program under this section.

(h) Termination.—The authority to carry out a pilot program under this section shall terminate on the date that is five years after the date on which the Secretary first enters into a contract under this section.

**TITLE II—OTHER EDUCATIONAL ASSISTANCE PROGRAMS**

**SEC. 201. WORK-STUDY ALLOWANCE.**

Section 3485(a)(4) of title 38, United States Code, is amended by striking “the period beginning on June 30, 2017, and ending on June 30, 2022,” each place it appears and inserting “any time on or after June 30, 2017,”.
SEC. 202. DURATION OF EDUCATIONAL ASSISTANCE UNDER SURVIVORS’ AND DEPENDENTS’ EDUCATIONAL ASSISTANCE PROGRAM.

Section 3511(a)(1) of title 38, United States Code, is amended—

(1) by striking “chapter for” and all that follows through the period and inserting “chapter—”;

and

(2) by adding at the end the following new subparagraphs:

“(A) in the case of a person who first enrolls in a program of education using such entitlement before August 1, 2018, for an aggregate period not in excess of 45 months (or to the equivalent thereof in part-time training); or

“(B) in the case of a person who first enrolls in a program of education using such entitlement on or after August 1, 2018, for an aggregate period not in excess of 36 months (or to the equivalent thereof in part-time training).”.

SEC. 203. OLIN E. TEAGUE INCREASE IN AMOUNTS OF EDUCATIONAL ASSISTANCE PAYABLE UNDER SURVIVORS’ AND DEPENDENTS’ EDUCATIONAL ASSISTANCE PROGRAM.

(a) INCREASE.—Section 3532 of title 38, United States Code, is amended—
(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “$788” and inserting “$1,224”; and

(ii) by striking “$592” and inserting “$967”; and

(iii) by striking “$394” and inserting “$710”; and

(B) in paragraph (2)(B), by striking “$788” and inserting “$1,224”; and

(2) in subsection (b), by striking “$788” and inserting “$1,224”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to a month that begins on or after August 1, 2018.

TITLE III—ADMINISTRATION OF EDUCATIONAL ASSISTANCE PROGRAMS

SEC. 301. STATE APPROVING AGENCY FUNDING.

(a) INCREASE.—Section 3674(a) of title 38, United States Code, is amended—

(1) in paragraph (2)(A), by striking “out of amounts available for the payment of readjustment benefits” and inserting “out of amounts in the Department of Veterans Affairs readjustment benefits
account and amounts appropriated to the Secretary;

(2) by redesignating paragraph (4) as paragraph (5);

(3) by inserting after paragraph (3) the following new paragraph (4):

“(4) In addition to amounts made available under paragraph (5), there is authorized to be appropriated to carry out this section $3,000,000 for fiscal year 2019 and each subsequent fiscal year.”; and

(4) in paragraph (5), as so redesignated—

(A) by striking “The total” and inserting “(A) The total”;  

(B) by striking “$19,000,000” and inserting “$21,000,000”; and

(C) by adding at the end the following new subparagraph:

“(B) Beginning in fiscal year 2019, whenever there is an increase in benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) as a result of a determination made under section 215(i) of such Act (42 U.S.C. 415(i)), the Secretary shall, effective on the date of such increase in benefit amounts, increase the amount in effect under subparagraph (A), as in effect immediately prior to the date of such increase in benefit

•HR 3218 IH
amounts payable under title II of the Social Security Act, by the same percentage as the percentage by which such benefit amounts are increased.”).

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.

Paragraph (4) of section 3680A(a) of title 38, United States Code, is amended to read as follows:

“(4) any independent study program except an independent study program (including such a program taken over open circuit television) that—

“(A) is accredited by a nationally recognized accrediting agency; and

“(B) leads—

“(i) to a standard college degree;

“(ii) to a certificate that reflects educational attainment offered by an institution of higher learning; or

“(iii) to a certificate that reflects completion of a course of study offered by—

“(I) an area career and technical education school (as defined in subparagraphs (C) and (D) of section
3(3) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302(3))) that provides education at the postsecondary level; or

“(II) a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c))) that provides education at the postsecondary level.”.

SEC. 303. PROVISION OF INFORMATION ON PRIORITY ENROLLMENT FOR VETERANS IN CERTAIN COURSES OF EDUCATION.

Section 3698(c)(1)(C) of title 38, United States Code, is amended—

(1) in clause (ix), by striking “and” at the end;

(2) in clause (x), by striking the period and inserting “; and”; and

(3) by adding at the end the following new clause:

“(xi) information on whether the institution administers a priority enrollment system that allows certain student veterans to enroll in courses earlier than other students.”.
SEC. 304. LIMITATION ON USE OF REPORTING FEES PAYABLE TO EDUCATIONAL INSTITUTIONS AND SPONSORS OF PROGRAMS OF APPRENTICESHIP.

(a) IN GENERAL.—Section 3684(e) of title 38, United States Code, is amended to read as follows:

“(c)(1) The Secretary may pay to any educational institution, or to the sponsor of a program of apprenticeship, furnishing education or training under either this chapter or chapter 31, 34, or 35 of this title, a reporting fee which will be in lieu of any other compensation or reimbursement for reports or certifications which such educational institution or sponsor of a program of apprenticeship is required to submit to the Secretary by law or regulation.

“(2) Such reporting fee shall be computed for each calendar year by multiplying $16 by the number of eligible veterans or eligible persons enrolled under this chapter or chapter 31, 34, or 35 of this title. The reporting fee shall be paid to such educational institution or sponsor of a program of apprenticeship as soon as feasible after the end of the calendar year for which it is applicable.

“(3) No reporting fee payable to an educational institution under this subsection shall be subject to offset by the Secretary against any liability of such institution for any overpayment for which such institution may be administratively determined to be liable under section 3685 of...
this title unless such liability is not contested by such in-
stitution or has been upheld by a final decree of a court of appropriate jurisdiction.

“(4) Any reporting fee paid to an educational institu-
tion or sponsor of a program of apprenticeship after the date of the enactment of the Post-9/11 Veterans Edu-
cational Assistance Improvements Act of 2011 (Public Law 111–377)—

“(A) shall be utilized by such institution or sponsor solely for the making of certifications re-
quired under this chapter or chapter 31, 34, or 35 of this title or for otherwise supporting programs for veterans; and

“(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 general fund of the educational institution or sponsor of a program of apprenticeship.

“(5) The reporting fee payable under this subsection shall be paid from amounts appropriated for readjustment benefits.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on August 1, 2018.
SEC. 305. TRAINING FOR SCHOOL CERTIFYING OFFICIALS.

(a) TRAINING REQUIREMENT.—The Secretary of Veterans Affairs shall, in consultation with the State approving agencies, set forth requirements relating to training for school certifying officials employed by covered educational institutions offering courses of education approved under chapter 36 of title 38, United States Code. If a covered educational institution does not ensure that a school certifying official employed by the educational institution meets such requirements, the Secretary may disapprove any course of education offered by such educational institution.

(b) DEFINITIONS.—In this section:

(1) The term “covered educational institution” means an educational institution that has enrolled 20 or more individuals using educational assistance under title 38, United States Code.

(2) The term “school certifying official” means an employee of an educational institution with primary responsibility for certifying veteran enrollment at the educational institution.

(3) The term “State approving agency” means a department or agency of a State designated under section 3671 of title 38, United States Code.

(c) EFFECTIVE DATE.—This section shall take effect on August 1, 2018.
SEC. 306. EXTENSION OF AUTHORITY FOR ADVISORY COMMITTEE ON EDUCATION.

Section 3692 of such title is amended by striking “December 31, 2017” and inserting “December 31, 2022”.

SEC. 307. DEPARTMENT OF VETERANS AFFAIRS PROVISION OF ON-CAMPUS EDUCATIONAL AND VOCATIONAL COUNSELING FOR VETERANS.

(a) In General.—Chapter 36 of title 38, United States Code, is amended by inserting after section 3697A the following new section:

“§ 3697B. On-campus educational and vocational counseling

“(a) In General.—The Secretary shall provide educational and vocational counseling services for individuals described in section 3697A(b) of this title at locations on the campuses of institutions of higher learning selected by the Secretary. Such counseling services shall be provided by employees of the Department who provide such services under section 3697A of this title.

“(b) Selection of Locations.—(1) To be selected by the Secretary under this section, an institution of higher learning shall provide an appropriate space on the campus of the institution where counseling services can be provided under this section.
“(2) In selecting locations for the provision of counseling services under this section, the Secretary shall seek to select locations where the maximum number of veterans would have access to such services.

“(c) **Annual Report.**—Not later than 180 days after the date of the enactment of this section, and each year thereafter, the Secretary shall submit to Congress a report on the counseling services provided under this section. Such report shall include, for the year covered by the report—

“(1) the average ratio of counselors providing such services to individuals who received such services at each location where such services were provided;

“(2) a description of such services provided;

“(3) the recommendations of the Secretary for improving the provision of such services; and

“(4) any other matters the Secretary determines appropriate.”.

(b) **Clerical Amendment.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3697A the following new item:

“3697B. On-campus educational and vocational counseling.”.
SEC. 308. PROVISION OF INFORMATION REGARDING VETERAN ENTITLEMENT TO EDUCATIONAL ASSISTANCE.

(a) In general.—Subchapter II of chapter 36 of title 38, United States Code, is further amended by adding at the end the following new section:

“§3699A. Provision of certain information to educational institutions

“(a) In general.—For each veteran or other individual pursuing a course of education that has been approved under this chapter using educational assistance to which the veteran or other individual is entitled under chapter 30, 32, 33, or 35 of this title, the Secretary shall make available to the educational institution offering the course information about the amount of such educational assistance to which the veteran or other individual is entitled. Such information shall be provided to such educational institution through a secure information technology system accessible by the educational institution and shall be regularly updated to reflect any amounts used by the veteran or other individual.

“(b) Election.—A veteran or other individual pursuing a course of education described in subsection (a) may elect not to provide the information described in such subsection to an educational institution in a manner prescribed by the Secretary.”.
(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is further amended by inserting after the item relating to section 3699 the following new item:

“3699A. Provision of certain information to educational institutions.”.

(c) EFFECTIVE DATE.—Section 3699A of title 38, United States Code, as added by this section, shall take effect on August 1, 2018.

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.

Section 3684(a) of title 38, United States Code, is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following new paragraph (4):

“(4) A course offered by an educational institution that does not begin on the first day of an academic term, but does begin seven or fewer days after such day, shall be treated as beginning on such day for purposes of this section.”.
TITLE IV—RESERVE COMPONENT BENEFITS

SEC. 401. ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR POST-9/11 EDUCATIONAL ASSISTANCE.

(a) In General.—Section 3301(1)(B) of title 38, United States Code, is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

(b) Retroactive Application.—The amendment made by subsection (a) shall apply with respect to service in the Armed Forces occurring on or after the date of the enactment of the Post-9/11 Veterans Educational Assistance Act of 2008 (Public Law 110–252).

(c) Application With Respect to Use of Entitlement.—An individual who is entitled to educational assistance by reason of the amendment made by subsection (a) may use such entitlement to pursue a course of education beginning on or after August 1, 2018.

SEC. 402. TIME LIMITATION FOR TRAINING AND REHABILITATION FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES.

Section 3103(f) of title 38, United States Code, is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

•HR 3218 IH
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.


(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2018, and shall apply with respect to individuals who first use their entitlement to educational assistance under chapter 33 of title 38, United States Code, on or after such date.