

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.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 2017

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

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.”.

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