

116TH CONGRESS
2D SESSION

H. R. 7111

To direct the Secretary of Veterans Affairs to carry out a retraining assistance program for unemployed veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2020

Mr. DAVID P. ROE of Tennessee (for himself, Mr. BILIRAKIS, Mr. BANKS, Mrs. RADEWAGEN, Mr. BOST, Mr. DUNN, Mr. WENSTRUP, Mr. BERGMAN, Mr. ARRINGTON, Mr. LEVIN of California, Mr. BARR, and Mr. MEUSER) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Ways and Means, 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 concerned

A BILL

To direct the Secretary of Veterans Affairs to carry out a retraining assistance program for unemployed veterans, 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 “Veterans Economic
5 Recovery Act of 2020”.

1 **SEC. 2. COVID-19 VETERAN RAPID RETRAINING ASSIST-**
2 **ANCE PROGRAM.**

3 (a) IN GENERAL.—The Secretary of Veterans Affairs
4 shall carry out a program under which the Secretary shall
5 provide up to 12 months of retraining assistance to an
6 eligible veteran for the pursuit of a covered program of
7 education. Such retraining assistance shall be in addition
8 to any other entitlement to educational assistance or bene-
9 fits for which a veteran is, or has been, eligible.

10 (b) ELIGIBLE VETERANS.—

11 (1) IN GENERAL.—For purposes of this section,
12 the term “eligible veteran” means a veteran who—

13 (A) as of the date of the submittal of the
14 application for assistance under this section, is
15 at least 25 years of age but not more than 60
16 years of age;

17 (B) as of the date of the submittal of the
18 application for assistance under this section, is
19 unemployed by reason of the covered public
20 health emergency, as certified by the veteran;

21 (C) as of the date of the submittal of the
22 application for assistance under this section, is
23 not eligible to receive educational assistance
24 under chapter 30, 31, 32, 33, or 35 of title 38,
25 United States Code, or chapter 1606 or 1607
26 of title 10, United States Code;

1 (D) is not enrolled in any Federal or State
2 jobs program;

3 (E) is not in receipt of compensation for a
4 service-connected disability rated totally dis-
5 abling by reason of unemployability; and

6 (F) will not be in receipt of unemployment
7 compensation (as defined in section 85(b) of the
8 Internal Revenue Code of 1986), including any
9 cash benefit received pursuant to subtitle A of
10 title II of division A of the Cares Act (Public
11 Law 116–136), as of the first day on which the
12 veteran would pursue a program of education
13 using retraining assistance under this section.

14 (2) TREATMENT OF VETERANS WHO TRANSFER
15 ENTITLEMENT.—For purposes of paragraph (1)(C),
16 a veteran who has transferred all of the veteran’s
17 entitlement to educational assistance under section
18 3319 of title 38, United States Code, shall be con-
19 sidered to be a veteran who is not eligible to receive
20 educational assistance under chapter 33 of such
21 title.

22 (3) FAILURE TO COMPLETE.—A veteran who
23 receives retraining assistance under this section to
24 pursue a program of education and who fails to com-

1 plete the program of education shall not be eligible
2 to receive additional assistance under this section.

3 (c) COVERED PROGRAMS OF EDUCATION.—

4 (1) IN GENERAL.—Each eligible veteran who
5 receives retraining assistance under this section may
6 only use such assistance to pursue a program of
7 education (as such term is defined in section
8 3452(b) of title 38, United States Code) for train-
9 ing, on a full-time or part-time basis, that—

10 (A) that—

11 (i) is approved under chapter 36 of
12 such title;

13 (ii) does not lead to a bachelors or
14 graduate degree; and

15 (iii) is designed to provide training for
16 a high-demand occupation, as determined
17 under paragraph (2); or

18 (B) is a high technology programs of edu-
19 cation offered by a qualified provider, under the
20 meaning of such terms in section 116 of the
21 Harry W. Colmery Veterans Educational As-
22 sistance Act of 2017 (Public Law 115–48; 38
23 U.S.C. 3001 note).

24 (2) ACCREDITED PROGRAMS.—In the case of an
25 accredited program of education, the program of

1 education shall not be considered a covered program
2 of education under this section if the program has
3 received a show cause order from the accreditor of
4 the program during the five-year period preceding
5 the date of the enactment of this Act.

6 (3) DETERMINATION OF HIGH-DEMAND OCCU-
7 PATIONS.—

8 (A) INITIAL IMPLEMENTATION.—In car-
9 rying out this section, the Secretary shall use
10 the list of high-demand occupations compiled by
11 the Commissioner of Labor Statistics until the
12 final list under subparagraph (C) is complete.

13 (B) STUDY REQUIRED.—The Secretary of
14 Veterans Affairs shall enter into an agreement
15 with a federally funded research and develop-
16 ment corporation or another appropriate non-
17 Department entity for the conduct of a study to
18 determine which occupations are high-demand
19 occupations. Such study shall be completed not
20 later than 30 days after the date of the enact-
21 ment of this Act.

22 (C) FINAL LIST.—The Secretary—

23 (i) may add or remove occupation
24 from the list in use pursuant to subpara-
25 graph (A) during the 60-day period fol-

1 lowing the completion of the study required
2 by subparagraph (B);

3 (ii) shall issue a final list of high-de-
4 mand occupations for use under this sec-
5 tion by not later than 60 days after the
6 date of the completion of the study; and

7 (iii) shall make such final list publicly
8 available on a website of the Department.

9 (D) USE OF LIST.—The Secretary shall
10 use the list developed under this paragraph in
11 order to apply the requirement that retraining
12 assistance under this section is used for train-
13 ing for a high-demand occupation, but the Sec-
14 retary may remove occupations from the list as
15 the Secretary determines appropriate.

16 (d) AMOUNT OF ASSISTANCE.—

17 (1) RETRAINING ASSISTANCE.—The Secretary
18 of Veterans Affairs shall provide to an eligible vet-
19 eran pursuing a covered program of education under
20 the retraining assistance program under this section
21 an amount equal to the amount of educational as-
22 sistance payable under section 3313(c)(1)(A) for
23 each month the veteran pursues the covered pro-
24 gram of education. Such amount shall be payable di-
25 rectly to the educational institution offering the cov-

1 ered program of education pursued by the veteran as
2 follows:

3 (A) 50 percent of the total amount payable
4 shall be paid when the eligible veteran begins
5 the program of education.

6 (B) 25 percent of the total amount payable
7 shall be paid when the eligible veteran com-
8 pletes the program of education.

9 (C) 25 percent of the total amount payable
10 shall be paid when the eligible veteran finds em-
11 ployment in a field related to the program of
12 education.

13 (2) FAILURE TO COMPLETE.—In the case of a
14 veteran who pursues a covered program of education
15 under the retraining assistance program under this
16 section, but who does not complete the program of
17 education, the Secretary shall pay to the educational
18 institution offering such program of education a pro-
19 rated amount based on the number of months the
20 veteran pursued the program of education—

21 (A) under paragraph (1)(B), which shall
22 be payable when the veteran provides notice to
23 the educational institution that the veteran no
24 longer intends to pursue the program of edu-
25 cation; and

1 (B) under paragraph (1)(C), which shall
2 by payable only if the veteran finds employment
3 in a field related to the program of education
4 during the 180-day period beginning on the
5 date on which the veteran withdraws from the
6 program of education.

7 (3) HOUSING STIPEND.—For each month that
8 an eligible veteran pursues a covered program of
9 education under the retraining assistance program
10 under this section, the Secretary shall pay to the
11 veteran a monthly housing stipend in an amount
12 equal to—

13 (A) in the case of a covered program of
14 education leading to a degree at an institution
15 of higher learning (as that term is defined in
16 section 3452(f) of title 38, United States Code)
17 pursued on more than a half-time basis, the
18 amount specified under subsection (c)(1)(B) of
19 section 3313 of title 38, United States Code;

20 (B) in the case of a covered program of
21 education other than a program of education
22 leading to a degree at an institution other than
23 an institution of higher learning pursued on
24 more than a half-time basis, the amount speci-

1 fied under subsection (g)(3)(A)(ii) of such sec-
2 tion;

3 (C) in the case of a covered program of
4 education pursued on less than a half-time
5 basis, the amount specified under subsection
6 (f)(2)(A)(ii) of such section; or

7 (D) in the case of a covered program of
8 education pursued solely through distance
9 learning on more than a half-time basis, the
10 amount specified under subsection (c)(1)(B)(iii)
11 of such section.

12 (4) FAILURE TO FIND EMPLOYMENT.—The
13 Secretary shall not make a payment under para-
14 graph (1)(C) with respect to an eligible veteran who
15 completes or fails to completes a program of edu-
16 cation under the retraining assistance program
17 under this section if the veteran fails to find employ-
18 ment in a field related to the program of education
19 within the 180-period beginning on the date on
20 which the veteran withdraws from or completes the
21 program.

22 (e) NO TRANSFERABILITY.—Retraining assistance
23 provided under this section may not be transferred to an-
24 other individual.

25 (f) EMPLOYMENT ASSISTANCE.—

1 (1) IN GENERAL.—The Secretary of Labor shall
2 contact each veteran who pursues a covered program
3 of education under this section—

4 (A) not later than 30 days after the date
5 on which the veteran begins the program of
6 education to notify the veteran of the avail-
7 ability of employment placement services upon
8 completion of the program; and

9 (B) not later than 14 days after the date
10 on which the veteran completes, or terminates
11 participation in, such program to facilitate the
12 provision of employment placement services to
13 such veteran.

14 (2) PROVISION OF INFORMATION.—The Sec-
15 retary of Veterans Affairs shall provide to the Sec-
16 retary of Labor such information as may be nec-
17 essary to carry out paragraph (1).

18 (g) NONPROFIT ORGANIZATION.—

19 (1) IN GENERAL.—The Secretary of Veterans
20 Affairs may enter into a memorandum of under-
21 standing with one or more qualified nonprofit orga-
22 nizations for the purpose of facilitating the employ-
23 ment of veterans who participate in the retraining
24 assistance program under this section.

1 (2) QUALIFIED NONPROFIT ORGANIZATION.—

2 For purposes of this subsection, a qualified non-
3 profit organization is a nonprofit organization
4 that—

5 (A) is an association of businesses; and

6 (B) has at least two years of experience
7 providing job placement services for veterans.

8 (h) FOLLOW-UP OUTREACH.—The Secretary of Vet-
9 erans Affairs, in coordination with the Secretary of Labor
10 shall contact each veteran who completes a covered pro-
11 gram of education under the retraining assistance pro-
12 gram under this section 30, 60, 90, and 180 days after
13 the veteran completes such program of education to ask
14 the veteran about the experience of the veteran in the re-
15 training assistance program and the veteran’s employment
16 status.

17 (i) TIME FRAME FOR PARTICIPATION.—An eligible
18 veteran who participates in the retraining assistance pro-
19 gram under this section shall—

20 (1) begin a program of education by not later
21 than 150 days after the date of the enactment of
22 this Act; and

23 (2) complete such program of education by not
24 later than 17 months after the date of the enact-
25 ment of this Act.

1 (j) LIMITATION.—Not more than 35,000 eligible vet-
2 erans may receive retraining assistance under this section.

3 (k) TERMINATION.—No retraining assistance may be
4 paid under this section after the date that is 17 months
5 after the date of the enactment of this Act.

6 (l) GAO REPORT.—Not later than 180 days after the
7 termination of the retraining assistance program under
8 subsection (k), the Comptroller General shall submit to
9 the Committees on Veterans' Affairs of the Senate and
10 House of Representatives a report on the outcomes and
11 effectiveness of the program.

12 (m) DEFINITIONS.—In this section:

13 (1) The term “covered public health emer-
14 gency” means the declaration—

15 (A) of a public health emergency, based on
16 an outbreak of COVID-19 by the Secretary of
17 Health and Human Services under section 319
18 of the Public Health Service Act (42 U.S.C.
19 247d); or

20 (B) of a domestic emergency, based on an
21 outbreak of COVID-19 by the President, the
22 Secretary of Homeland Security, or State, or
23 local authority.

24 (2) The term “veteran” means—

1 (A) a person who served in the active mili-
2 tary, naval, or air service, and who was dis-
3 charged or released therefrom under conditions
4 other than dishonorable; or

5 (B) a member of a reserve component of
6 the Armed Forces who serves on active duty
7 pursuant to section 502(f) of title 32, United
8 States Code, for a period of 30 days or longer
9 by reason of the covered public health emer-
10 gency.

11 (n) FUNDING.—

12 (1) IN GENERAL.—For each fiscal year for
13 which the Secretary provides retraining assistance
14 under this section, such sums as may be necessary
15 shall be made available for such assistance from
16 funds appropriated to, or otherwise made available
17 to, the Department for the payment of readjustment
18 benefits.

19 (2) ADMINISTRATIVE COSTS.—There is author-
20 ized to be appropriated to the Secretary
21 \$10,000,000 for administrative costs associated with
22 carrying out this section.

1 **SEC. 3. ACCESS FOR THE SECRETARIES OF LABOR AND**
2 **VETERANS AFFAIRS TO THE FEDERAL DIREC-**
3 **TORY OF NEW HIRES.**

4 Section 453A(h) of the Social Security Act (42
5 U.S.C. 653a(h)) is amended by adding at the end the fol-
6 lowing new paragraph:

7 “(4) VETERAN EMPLOYMENT.—The Secretaries
8 of Labor and of Veterans Affairs shall have access
9 to information reported by employers pursuant to
10 subsection (b) of this section for purposes of track-
11 ing employment of veterans.”.

12 **SEC. 4. EXPANSION OF ELIGIBLE CLASS OF PROVIDERS OF**
13 **HIGH TECHNOLOGY PROGRAMS OF EDU-**
14 **CATION FOR VETERANS.**

15 Section 116 of the Harry W. Colmery Veterans Edu-
16 cational Assistance Act of 2017 (Public Law 115–48; 38
17 U.S.C. 3001 note) is amended—

18 (1) in subsection (b), by adding at the end the
19 following: “The Secretary shall treat an individual as
20 an eligible veteran if the Secretary determines that
21 the individual shall become an eligible veteran fewer
22 than 180 days after the date of such determina-
23 tion.”;

24 (2) in subsection (c)—

25 (A) in paragraph (3)(A), by striking “has
26 been operational for at least 2 years” and in-

1 serting “employs instructors whom the Sec-
2 retary determines are experts in their respective
3 fields in accordance with paragraph (6)”; and

4 (B) by adding at the end the following new
5 paragraph:

6 “(6) EXPERTS.—The Secretary shall determine
7 whether instructors are experts under paragraph
8 (3)(A) based on evidence furnished to the Secretary
9 by the provider regarding the ability of the instruc-
10 tors to—

11 “(A) identify professions in need of new
12 employees to hire, tailor the programs to meet
13 market needs, and identify the employers likely
14 to hire graduates;

15 “(B) effectively teach the skills offered to
16 eligible veterans;

17 “(C) provide relevant industry experience
18 in the fields of programs offered to incoming el-
19 igible veterans; and

20 “(D) demonstrate relevant industry experi-
21 ence in such fields of programs.”;

22 (3) in subsection (d), in the matter preceding
23 paragraph (1), by inserting “(not including an indi-
24 vidual described in the second sentence of subsection
25 (b))” after “each eligible veteran”;

1 (4) in subsection (e), in the matter preceding
2 paragraph (1), by inserting “, including a part-time
3 program shorter than six months in duration,” after
4 “means a program of education”;

5 (5) in subsection (g), by striking
6 “\$15,000,000” and inserting “\$45,000,000”; and

7 (6) by adding at the end the following new sub-
8 section (i):

9 “(i) PROHIBITION ON CERTAIN ACCOUNTING OF AS-
10 SISTANCE.—The Secretary may not consider enrollment in
11 a high technology program of education under this section
12 to be assistance under a provision of law referred to in
13 section 3695 of title 38, United States Code.”.

14 **SEC. 5. PILOT PROGRAM FOR OFF-BASE TRANSITION**
15 **TRAINING FOR VETERANS AND SPOUSES.**

16 (a) EXTENSION OF PILOT PROGRAM.—Subsection
17 (a) of section 301 of the Dignified Burial and Other Vet-
18 erans’ Benefits Improvement Act of 2012 (Public Law
19 112–260; 10 U.S.C. 1144 note) is amended—

20 (1) by striking “During the two-year period be-
21 ginning on the date of the enactment of this Act”
22 and inserting “During the 5-year period beginning
23 on the date of the enactment of the Veterans Eco-
24 nomic Recovery Act of 2020”; and

1 (2) by striking “to assess the feasibility and ad-
2 visability of providing such program to eligible indi-
3 viduals at locations other than military installa-
4 tions”.

5 (b) LOCATIONS.—Subsection (c) of such section is
6 amended—

7 (1) in paragraph (1), by striking “not less than
8 three and not more than five States” and inserting
9 “not fewer than 50 locations in States (as defined
10 in section 101 of title 38, United States Code)”;

11 (2) in paragraph (2), by striking “at least two”
12 and inserting “at least 20”; and

13 (3) by adding at the end the following new
14 paragraphs:

15 “(5) PREFERENCES.—In selecting States for
16 participation in the pilot program, the Secretary
17 shall provide a preference for any State with—

18 “(A) a high rate of usage of unemployment
19 benefits for recently separated members of the
20 Armed Forces; or

21 “(B) a labor force or economy that has
22 been significantly impacted by the covered pub-
23 lic health emergency.

1 “(6) COVERED PUBLIC HEALTH EMERGENCY.—

2 In this subsection, the term ‘covered public health
3 emergency’ means the declaration—

4 “(A) of a public health emergency, based
5 on an outbreak of COVID-19 by the Secretary
6 of Health and Human Services under section
7 319 of the Public Health Service Act (42
8 U.S.C. 247d); or

9 “(B) of a domestic emergency, based on an
10 outbreak of COVID-19 by the President, the
11 Secretary of Homeland Security, or State, or
12 local authority.”.

13 (c) ANNUAL REPORT.—Subsection (e) of such section
14 is amended by adding at the end the following new sen-
15 tence: “Each such report shall include information about
16 the employment outcomes of the eligible individuals who
17 received such training during the year covered by the re-
18 port.”.

19 (d) CONFORMING REPEAL.—Subsection (f) of such
20 section is repealed.

1 **SEC. 6. GRANTS FOR PROVISION OF TRANSITION ASSIST-**
2 **ANCE TO MEMBERS OF THE ARMED FORCES**
3 **AFTER SEPARATION, RETIREMENT, OR DIS-**
4 **CHARGE.**

5 (a) IN GENERAL.—The Secretary of Veterans Affairs
6 shall make grants to eligible organizations for the provi-
7 sion of transition assistance to members of the Armed
8 Forces who are separated, retired, or discharged from the
9 Armed Forces, and spouses of such members.

10 (b) USE OF FUNDS.—The recipient of a grant under
11 this section shall use the grant to provide to members of
12 the Armed Forces and spouses described in subsection (a)
13 resume assistance, interview training, job recruitment
14 training, and related services leading directly to successful
15 transition, as determined by the Secretary.

16 (c) ELIGIBLE ORGANIZATIONS.—To be eligible for a
17 grant under this section, an organization shall submit to
18 the Secretary an application containing such information
19 and assurances as the Secretary, in consultation with the
20 Secretary of Labor, may require.

21 (d) PRIORITY.—In making grants under this section,
22 the Secretary shall give priority to an organization that—

23 (1) provides multiple forms of services described
24 in subsection (b); or

25 (2) is located in a State with—

26 (A) a high rate of veteran unemployment;

1 (B) a high rate of usage of unemployment
2 benefits for recently separated members of the
3 Armed Forces; or

4 (C) a labor force or economy that has been
5 significantly impacted by the covered public
6 health emergency (as such term is defined in
7 section 2(m)(2)).

8 (e) AMOUNT OF GRANT.—A grant under this section
9 shall be in an amount that does not exceed 50 percent
10 of the amount required by the organization to provide the
11 services described in subsection (b).

12 (f) DEADLINE.—The Secretary shall carry out this
13 section not later than six months after the effective date
14 of this Act.

15 (g) TERMINATION.—The authority to provide a grant
16 under this section shall terminate on the date that is five
17 years after the date on which the Secretary implements
18 the grant program under this section.

19 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated \$10,000,000 to carry out
21 this section.

○