

AMENDING TITLE 38, UNITED STATES CODE, TO REDUCE THE CREDIT HOUR REQUIREMENT FOR THE EDITH NOURSE ROGERS STEM SCHOLARSHIP PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS

JUNE 18, 2019.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. TAKANO, from the Committee on Veterans' Affairs, submitted the following

R E P O R T

[To accompany H.R. 2196]

[Including cost estimate of the Congressional Budget Office]

The Committee on Veterans' Affairs, to whom was referred the bill (H.R. 2196) to amend title 38, United States Code, to reduce the credit hour requirement for the Edith Nourse Rogers STEM Scholarship program of the Department of Veterans Affairs, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

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PURPOSE AND SUMMARY

H.R. 2196, “To amend title 38, United States Code, to reduce the credit hour requirement for the Edith Nourse Rogers STEM Scholarship program of the Department of Veterans Affairs,” was introduced by Representative Andy Barr, along with Representative Mike Levin, Chairman of the Subcommittee on Economic Opportunity, and Representative Phil Roe, Ranking Member of the Committee on Veterans’ Affairs, on April 10, 2019. H.R. 2196 would adjust the credit hour requirements to qualify for the Edith Nourse Rogers STEM Scholarship, created in the Harry W. Colmery Veterans Educational Assistance Act of 2017, Public Law 115–48. H.R. 2196 would reduce the required semester credit hours from 128 to 120, in order to allow more programs at a wider array of institutions of higher learning to qualify for the program.

BACKGROUND AND NEED FOR LEGISLATION

Section 111 of the Harry W. Colmery Veterans Educational Assistance Act of 2017, Public Law 115–48, created the Edith Nourse Rogers STEM Scholarship. The Harry W. Colmery Veterans Educational Assistance Act of 2017’s committee report stated:

The Committee believes that we should encourage veterans to pursue [Science, Technology, Engineer, and Math (STEM)] positions. To meet this obstacle, there is clearly a need to increase the types of education programs and opportunities that lead to STEM careers. The difficulty that arises is that many of the programs that lead to a degree in the STEM field can take longer to complete than the current 36 months of eligibility provided to students under the GI Bill. This section, therefore, would authorize VA to provide a scholarship to provide additional GI Bill funds to help a student veteran complete a STEM degree. Certain eligible students would be eligible to apply for the program if they are at least half way through a STEM degree and expect their GI Bill benefits to be exhausted before completing their program. The scholarship would pay for nine additional months of the Post-9/11 GI Bill benefit, up to a maximum payment of \$30,000. The amount of money that could be spent on this program would not exceed \$100,000,000 in any one fiscal year and would be phased in over time by authorizing \$25,000,000 in fiscal year 2019; \$75,000,000 for each of the fiscal years 2020 through 2022; and \$100,000,000 for fiscal year 2023 and each subsequent year. The scholarship would be known as the ‘Edith Nourse Rogers STEM Scholarship’ and is named for the late Congresswoman Edith Nourse Rogers, former Chairwoman of the House Committee on Veterans’ Affairs.

The Committee believes this extra benefit would help student veterans and provide a positive return on investment for the country and the country’s national needs. Additionally, the Committee expects VA to use this authority judiciously and ensure that schools are not expanding the number of credit hours needed to complete a STEM program so they can receive additional tuition and fee payments.

The credit requirement for programs to qualify for this scholarship was set at 128 semester hours, or 192 quarter hours, to prioritize student veterans in programs with the heaviest course loads. As the Department of Veterans Affairs (VA) has worked to implement Section 111 of Public Law 115–48, VA surveyed institutions of higher learning and discovered only 3 programs that would qualify. This does not meet the intent of Congress in creating the Edith Nourse Rogers STEM Scholarship, and would not enable VA to provide the amount of scholarships authorized in PL 115–48.

H.R. 2196 would modify the credit hour requirement, changing the requirement from more than 128 semester hours to at least 120 semester hours (192 and 180 quarter hours respectively.) This would allow VA to implement Section 111 of PL 115–48 in line with Congressional intent by ensuring more programs are eligible for the scholarship, while leaving VA with the flexibility to adjust the credit hour requirement up from 120 semester hours in the future to continue to prioritize programs that take longer than the 36 months of eligibility student veterans receive under the Post-9/11 GI Bill.

HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress—the following hearings and meetings were used to develop or consider H.R. 2196.

On April 9, 2019, the Subcommittee on Economic Opportunity conducted a legislative hearing on various bills introduced during the 116th Congress, including a discussion draft that was later introduced as H.R. 2196.

The following witnesses testified:

Ms. Margarita Devlin, Principal Deputy Under Secretary for Benefits, Veterans Benefits Administration, U.S. Department of Veterans Affairs. Ms. Ashlynn Haycock, Deputy Policy Director, Education Support Services, Tragedy Assistance Program for Survivors (TAPS). Mr. Patrick Murray, Deputy Director, National Legislative Service, The Veterans of Foreign Wars. Mr. John Kamin, Credentialing and Education Policy Associate, National Veterans Employment and Education Division, The American Legion. Ms. Rebecca Burgess, Program Manager Citizenship Project, American Enterprise Institute.

Statements for the record were submitted by:

Disabled American Veterans

SUBCOMMITTEE CONSIDERATION

On May 1, 2019, the Subcommittee on Economic Opportunity met in an open markup session, a quorum being present, and ordered H.R. 2196 favorably forwarded to the Committee on Veterans' Affairs by voice vote.

During the May 1, 2019 consideration, the Subcommittee considered H.R. 2196 as introduced. No amendments were offered.

COMMITTEE CONSIDERATION

On May 8, 2019, the Committee on Veterans' Affairs met in an open markup session, a quorum being present, and ordered H.R.

2196 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 the recorded votes on the motion to report the legislation and amendments thereto. There were no recorded votes taken on amendments or in connection with ordering H.R. 2196 reported to the House. A motion by Ranking Member Phil Roe of Tennessee to report H.R. 2196 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 to refine the statutory requirements of the Edith Nourse Rogers STEM Scholarship to meet Congressional intent.

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. 2196 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. 2196 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. 2196 provided by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974:

According to the Congressional Budget Office estimate, H.R. 2196 would increase the number of beneficiaries who would be eligible to receive the funds but would not change the total amount of

scholarships awarded; thus, enacting the bill would not affect direct spending or spending subject to appropriation.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 14, 2019.

Hon. MARK TAKANO,
*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. 2196, a bill to amend title 38, United States Code, to reduce the credit hour requirement for the Edith Nourse Rogers STEM Scholarship program of the Department of Veterans Affairs.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Paul B.A. Holland.

Sincerely,

KEITH HALL,
Director.

Enclosure.

H.R. 2196, a bill to amend title 38, United States Code, to reduce the credit hour requirement for the Edith Nourse Rogers STEM Scholarship program of the Department of Veterans Affairs			
As ordered reported by the House Committee on Veterans' Affairs on May 8, 2019			
By Fiscal Year, Millions of Dollars	2019	2019-2024	2019-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Deficit Effect	0	0	0
Spending Subject to Appropriation (Outlays)	0	0	0
Pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

Under the Post-9/11 GI Bill the Department of Veterans Affairs (VA) provides monthly housing allowances and pays the tuition and fees for beneficiaries pursuing approved education programs. Beneficiaries, including veterans, service members, and their designated dependents, can receive that assistance for up to 36 months. Through the Edith Nourse Rogers STEM Scholarship, the department may provide up to nine additional months of those benefits to students who pursue undergraduate degrees in science, technology, engineering, mathematics, health care, or other fields designated by the Secretary of Veterans Affairs that require more than 128 semester (or 192 quarter) credit hours to complete. H.R. 2196 would reduce the threshold for eligibility to qualified programs that require at least 120 semester (or 180 quarter) credit hours to complete.

Under current law, VA can provide a total of \$25 million in scholarships in 2019. That amount increases to \$75 million in each year from 2020 to 2022, and to \$100 million in 2023 and each year

thereafter. The department expects to award scholarships totaling the maximum amounts authorized.

Reducing the credit hour requirement would increase the number of beneficiaries who would be eligible to receive the those funds but would not change the total amount of scholarships awarded; thus, enacting the bill would not affect direct spending.

The CBO staff contact for this estimate is Paul B.A. Holland. The estimate was reviewed by Leo Lex, Deputy Assistant Director for Budget Analysis.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates regarding H.R. 2196 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. 2196.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to Article I, section 8 of the United States Constitution, H.R. 2196 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 H.R. 2196 does not relate to the terms and conditions of employment or access to public services or accommodations within the legislative branch.

STATEMENT ON DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 2196 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 clause 3(c)(5) of rule XIII, the Committee estimates that H.R. 2196 contains no directed rule making that would require the Secretary to prescribe regulations.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1: Reduces the number of credit hours required for a program to qualify for the Edith Nourse Rogers STEM Scholarship from 128 semester (192 quarter) hours to 120 semester (180 quarter) hours.

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):

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, and existing law in which no change is proposed is shown in roman):

TITLE 38, UNITED STATES CODE

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PART III—READJUSTMENT AND RELATED BENEFITS

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CHAPTER 33—POST-9/11 EDUCATIONAL ASSISTANCE

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SUBCHAPTER II—EDUCATIONAL ASSISTANCE

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§ 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, in accordance with the guidelines of the applicable regional or national accrediting agency, requires **[more than the standard 128 semester (or 192 quarter) credit hours]** *at least the standard 120 semester (or 180 quarter) credit hours*

for completion in a standard, undergraduate college degree 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;
- (IX) a medical residency program;
- (X) an agriculture science program or a natural resources science program; or
- (XI) other subjects and fields identified by the Secretary as meeting national needs;

(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 the monthly amount payable under section 3313 of this title for not more than 9 months of the program of education in which the individual is enrolled (adjusted with respect to the individual pursuant to section 3313(c), as appropriate), except that the aggregate amount paid to an individual under this section may not exceed \$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—

(1) \$25,000,000 for fiscal year 2019;

(2) \$75,000,000 for each of fiscal years 2020 through 2022;

and

(3) \$100,000,000 for fiscal year 2023 and each subsequent fiscal year.

(g) CONGRESSIONAL NOTICE.—If the Secretary identifies a new subject or field pursuant to subsection (b)(4)(A)(i)(XI) as meeting a national need, the Secretary shall submit to Congress notice of such identification at least 90 days before conferring eligibility on any individual for purposes of this section on the basis of such identification, including any analysis of labor market supply and demand used in identifying the new subject or field, as applicable.

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