

Committee Print

(Providing for reconciliation pursuant to S. Con. Res. 5, the
Concurrent Resolution on the Budget for Fiscal Year 2021)

1 **TITLE ____—COMMITTEE ON**
2 **VETERANS' AFFAIRS**

3 **SEC. __01. FUNDING FOR CLAIMS AND APPEALS PROC-**
4 **ESSING.**

5 In addition to amounts otherwise made available,
6 there are appropriated, out of any money in the Treasury
7 not otherwise appropriated for fiscal year 2021, to remain
8 available until September 30, 2023, \$272,000,000 pursu-
9 ant to sections 308, 310, 7101 through 7113, 7701, and
10 7703 of title 38, United States Code.

11 **SEC. __02. FUNDING AVAILABILITY.**

12 In addition to amounts otherwise made available,
13 there are appropriated, out of any money in the Treasury
14 not otherwise appropriated for fiscal year 2021, to remain
15 available until September 30, 2023, \$13,482,000,000 for
16 allocation under chapters 17, 20, 73, and 81 of title 38,
17 United States Code, of which no more than
18 \$4,000,000,000 shall be available pursuant to section

1 1703 of title 38, United States Code for health care fur-
2 nished through the Veterans Community Care program.

3 **SEC. __03. FUNDING FOR SUPPLY CHAIN MODERNIZATION.**

4 In addition to amounts otherwise made available,
5 there are appropriated, out of any money in the Treasury
6 not otherwise appropriated for fiscal year 2021, to remain
7 available until September 30, 2022, \$100,000,000, for the
8 supply chain modernization initiative under sections 308,
9 310, and 7301(b) of title 38, United States Code.

10 **SEC. __04. FUNDING FOR STATE HOMES.**

11 In addition to amounts otherwise made available,
12 there are appropriated, out of any money in the Treasury
13 not otherwise appropriated—

14 (1) \$500,000,000 for fiscal year 2021, to re-
15 main available until expended, for allocation under
16 sections 8131 through 8137 of title 38, United
17 States Code: and

18 (2) \$250,000,000 for fiscal year 2021, to re-
19 main available until September 30, 2022, for a one-
20 time only obligation and expenditure to existing
21 State extended care facilities for veterans in propor-
22 tion to each State's share of the total resident ca-
23 pacity in such facilities as of the date of enactment
24 of this Act where such capacity includes only vet-
25 erans on whose behalf the Department pays a per

1 diem payment pursuant to section 1741 or 1745 of
2 title 38, United States Code.

3 **SEC. __05. FUNDING FOR THE DEPARTMENT OF VETERANS**
4 **AFFAIRS OFFICE OF INSPECTOR GENERAL.**

5 In addition to amounts otherwise made available,
6 there are appropriated, out of any money in the Treasury
7 not otherwise appropriated, \$10,000,000, for fiscal year
8 2021 and to remain available until expended, to carry out
9 audits, investigations, and other oversight activities au-
10 thorized under the Inspector General Act of 1978 (5
11 U.S.C. App.) of projects and activities carried out pursu-
12 ant to this Act using amounts made available for the De-
13 partment of Veterans Affairs.

14 **SEC. ___06. COVID-19 VETERAN RAPID RETRAINING AS-**
15 **SISTANCE PROGRAM.**

16 (a) IN GENERAL.—The Secretary of Veterans Affairs
17 shall carry out a program under which the Secretary shall
18 provide up to 12 months of retraining assistance to an
19 eligible veteran for the pursuit of a covered program of
20 education. Such retraining assistance shall be in addition
21 to any other entitlement to educational assistance or bene-
22 fits for which a veteran is, or has been, eligible.

23 (b) ELIGIBLE VETERANS.—

24 (1) IN GENERAL.—In this section, the term “el-
25 ible veteran” means a veteran who—

1 (A) as of the date of the receipt by the De-
2 partment of Veterans Affairs of an application
3 for assistance under this section, is at least 22
4 years of age but not more than 66 years of age;

5 (B) as of such date, is unemployed by rea-
6 son of the covered public health emergency, as
7 certified by the veteran;

8 (C) as of such date, is not eligible to re-
9 ceive educational assistance under chapter 30,
10 31, 32, 33, or 35 of title 38, United States
11 Code, or chapter 1606 of title 10, United States
12 Code;

13 (D) is not enrolled in any Federal or State
14 jobs program;

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

18 (F) will not be in receipt of unemployment
19 compensation (as defined in section 85(b) of the
20 Internal Revenue Code of 1986), including any
21 cash benefit received pursuant to subtitle A of
22 title II of division A of the CARES Act (Public
23 Law 116–136), as of the first day on which the
24 veteran would receive a housing stipend pay-
25 ment under this section.

1 (2) TREATMENT OF VETERANS WHO TRANSFER
2 ENTITLEMENT.—For purposes of paragraph (1)(C),
3 a veteran who has transferred all of the veteran’s
4 entitlement to educational assistance under section
5 3319 of title 38, United States Code, shall be con-
6 sidered to be a veteran who is not eligible to receive
7 educational assistance under chapter 33 of such
8 title.

9 (3) FAILURE TO COMPLETE.—A veteran who
10 receives retraining assistance under this section to
11 pursue a program of education and who fails to com-
12 plete the program of education shall not be eligible
13 to receive additional assistance under this section.

14 (c) COVERED PROGRAMS OF EDUCATION.—

15 (1) IN GENERAL.—For purposes of this section,
16 a covered program of education is a program of edu-
17 cation (as such term is defined in section 3452(b) of
18 title 38, United States Code) for training, pursued
19 on a full-time or part-time basis—

20 (A) that—

21 (i) is approved under chapter 36 of
22 such title;

23 (ii) does not lead to a bachelors or
24 graduate degree; and

1 (iii) is designed to provide training for
2 a high-demand occupation, as determined
3 under paragraph (3); or

4 (B) that is a high technology program of
5 education offered by a qualified provider, under
6 the meaning given such terms in section 116 of
7 the Harry W. Colmery Veterans Educational
8 Assistance Act of 2017 (Public Law 115–48; 38
9 U.S.C. 3001 note).

10 (2) ACCREDITED PROGRAMS.—In the case of an
11 accredited program of education, the program of
12 education shall not be considered a covered program
13 of education under this section if the program has
14 received a show cause order from the accreditor of
15 the program during the five-year period preceding
16 the date of the enactment of this Act.

17 (3) DETERMINATION OF HIGH-DEMAND OCCU-
18 PATIONS.—

19 (A) INITIAL IMPLEMENTATION.—In car-
20 rying out this section, the Secretary shall use
21 the list of high-demand occupations compiled by
22 the Commissioner of Labor Statistics until the
23 final list under subparagraph (C) is complete.

24 (B) STUDY REQUIRED.—The Secretary of
25 Veterans Affairs shall enter into an agreement

1 with a federally funded research and develop-
2 ment corporation or another appropriate non-
3 Department entity for the conduct of a study to
4 determine which occupations are high-demand
5 occupations. Such study shall be completed not
6 later than 90 days after the date of the enact-
7 ment of this Act.

8 (C) FINAL LIST.—The Secretary—

9 (i) may add or remove occupation
10 from the list in use pursuant to subpara-
11 graph (A) during the 90-day period fol-
12 lowing the completion of the study required
13 by subparagraph (B);

14 (ii) shall issue a final list of high-de-
15 mand occupations for use under this sec-
16 tion by not later than 90 days after the
17 date of the completion of the study; and

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

20 (D) USE OF LIST.—The Secretary shall
21 use the list developed under this paragraph in
22 order to apply the requirement that retraining
23 assistance under this section is used for train-
24 ing for a high-demand occupation, but the Sec-

1 retary may remove occupations from the list as
2 the Secretary determines appropriate.

3 (4) FULL-TIME DEFINED.—For purposes of
4 this subsection, the term “full-time” has the mean-
5 ing given such term under section 3688 of title 38,
6 United States Code.

7 (d) AMOUNT OF ASSISTANCE.—

8 (1) RETRAINING ASSISTANCE.—The Secretary
9 of Veterans Affairs shall provide to an eligible vet-
10 eran pursuing a covered program of education under
11 the retraining assistance program under this section
12 an amount equal to the amount of educational as-
13 sistance payable under section 3313(c)(1)(A) of title
14 38, United States Code, for each month the veteran
15 pursues the covered program of education. Such
16 amount shall be payable directly to the educational
17 institution offering the covered program of education
18 pursued by the veteran as follows:

19 (A) 50 percent of the total amount payable
20 shall be paid when the eligible veteran begins
21 the program of education.

22 (B) 25 percent of the total amount payable
23 shall be paid when the eligible veteran com-
24 pletes the program of education.

1 (C) 25 percent of the total amount payable
2 shall be paid when the eligible veteran finds em-
3 ployment in a field related to the program of
4 education.

5 (2) FAILURE TO COMPLETE.—

6 (A) PRO-RATED PAYMENTS.—In the case
7 of a veteran who pursues a covered program of
8 education under the retraining assistance pro-
9 gram under this section, but who does not com-
10 plete the program of education, the Secretary
11 shall pay to the educational institution offering
12 such program of education a pro-rated amount
13 based on the number of months the veteran
14 pursued the program of education in accordance
15 with this paragraph.

16 (B) PAYMENT OTHERWISE DUE UPON
17 COMPLETION OF PROGRAM.—The Secretary
18 shall pay to the educational institution a pro-
19 rated amount under paragraph (1)(B) when the
20 veteran provides notice to the educational insti-
21 tution that the veteran no longer intends to
22 pursue the program of education.

23 (C) NONRECOVERY FROM VETERAN.—In
24 the case of a veteran referred to in subpara-
25 graph (A), the educational institution may not

1 seek payment from the veteran for any amount
2 that would have been payable under paragraph
3 (1)(B) had the veteran completed the program
4 of education.

5 (D) PAYMENT DUE UPON EMPLOYMENT.—

6 (i) VETERANS WHO FIND EMPLOY-
7 MENT.—In the case of a veteran referred
8 to in subparagraph (A) who finds employ-
9 ment in a field related to the program of
10 education during the 180-day period begin-
11 ning on the date on which the veteran
12 withdraws from the program of education,
13 the Secretary shall pay to the educational
14 institution a pro-rated amount under para-
15 graph (1)(C) when the veteran finds such
16 employment.

17 (ii) VETERANS WHO DO NOT FIND EM-
18 PLOYMENT.—In the case of a veteran re-
19 ferred to in subparagraph (A) who does
20 not find employment in a field related to
21 the program of education during the 180-
22 day period beginning on the date on which
23 the veteran withdraws from the program of
24 education—

1 (I) the Secretary shall not make
2 a payment to the educational institu-
3 tion under paragraph (1)(C); and

4 (II) the educational institution
5 may not seek payment from the vet-
6 eran for any amount that would have
7 been payable under paragraph (1)(C)
8 had the veteran found employment
9 during such 180-day period.

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

16 (A) in the case of a covered program of
17 education leading to a degree, or a covered pro-
18 gram of education not leading to a degree, at
19 an institution of higher learning (as that term
20 is defined in section 3452(f) of title 38, United
21 States Code) pursued on more than a half-time
22 basis, the amount specified under subsection
23 (c)(1)(B) of section 3313 of title 38, United
24 States Code;

1 (B) in the case of a covered program of
2 education other than a program of education
3 leading to a degree at an institution other than
4 an institution of higher learning pursued on
5 more than a half-time basis, the amount speci-
6 fied under subsection (g)(3)(A)(ii) of such sec-
7 tion; or

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

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

1 (e) NO TRANSFERABILITY.—Retraining assistance
2 provided under this section may not be transferred to an-
3 other individual.

4 (f) EMPLOYMENT ASSISTANCE.—

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

8 (A) not later than 30 days after the date
9 on which the veteran begins the program of
10 education to notify the veteran of the avail-
11 ability of employment placement services upon
12 completion of the program; and

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

18 (2) PROVISION OF INFORMATION.—The Sec-
19 retary of Veterans Affairs shall provide to the Sec-
20 retary of Labor such information as may be nec-
21 essary to carry out paragraph (1).

22 (g) NONPROFIT ORGANIZATION.—

23 (1) IN GENERAL.—The Secretary of Veterans
24 Affairs shall seek to enter into a memorandum of
25 understanding with one or more qualified nonprofit

1 organizations for the purpose of facilitating the em-
2 ployment of veterans who participate in the retrain-
3 ing assistance program under this section.

4 (2) QUALIFIED NONPROFIT ORGANIZATION.—

5 For purposes of this subsection, a qualified non-
6 profit organization is a nonprofit organization
7 that—

8 (A) is an association of businesses; and

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

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

20 (i) QUARTERLY REPORTS.—Not later than the date
21 that is one year after the date of the enactment of this
22 Act, and quarterly thereafter, the Secretary of Labor shall
23 submit to the Committees on Veterans’ Affairs of the Sen-
24 ate and House of Representatives a report containing the

1 following information about veterans who participate in
2 the retraining assistance program under this section:

3 (1) The percentage of such veterans who found
4 employment before the end of the second calendar
5 quarter after exiting the program.

6 (2) The percentage of such veterans who found
7 employment before the end of the fourth calendar
8 quarter after exiting the program.

9 (3) The median earnings of all such veterans
10 for the second quarter after exiting the program.

11 (4) The percentage of such veterans who attain
12 a recognized postsecondary credential during the 12-
13 month period after exiting the program.

14 (j) LIMITATION.—Not more than 17,250 eligible vet-
15 erans may receive retraining assistance under this section.

16 (k) TERMINATION.—No retraining assistance may be
17 paid under this section after the date that is 21 months
18 after the date of the enactment of this Act.

19 (l) COMPTROLLER GENERAL REPORT.—Not later
20 than 180 days after the termination of the retraining as-
21 sistance program under subsection (k), the Comptroller
22 General shall submit to the Committees on Veterans' Af-
23 fairs of the Senate and House of Representatives a report
24 on the outcomes and effectiveness of the program.

25 (m) DEFINITIONS.—In this section:

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

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

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

12 (2) The term “veteran” means—

13 (A) a person who served in the active mili-
14 tary, naval, or air service, and who was dis-
15 charged or released therefrom under conditions
16 other than dishonorable; or

17 (B) a member of a reserve component of
18 the Armed Forces who performs active service
19 for a period of 30 days or longer by reason of
20 the covered public health emergency.

21 (3) The term “active service” has the meaning
22 given such term in section 101 of title 10, United
23 States Code.

24 (n) FUNDING.—In addition to amounts otherwise
25 made available for the Department of Veterans Affairs,

1 there is appropriated for fiscal year 2021, out of any
2 money in the Treasury not otherwise appropriated,
3 \$386,000,000, to remain available until expended, to carry
4 out this section.

5 **SEC. ___07. PROHIBITION ON COPAYMENTS AND COST**
6 **SHARING FOR VETERANS DURING EMER-**
7 **GENCY RELATING TO COVID-19.**

8 (a) IN GENERAL.—The Secretary of Veterans Af-
9 fairs—

10 (1) shall not require a veteran to pay a copay-
11 ment or other cost sharing with respect to health
12 care under the laws administered by the Secretary
13 received by the veteran during the period specified in
14 subsection (b); and

15 (2) shall reimburse any veteran who paid a co-
16 payment or other cost sharing for health care under
17 the laws administered by the Secretary received by
18 the veteran during such period the amount paid by
19 the veteran.

20 (b) PERIOD SPECIFIED.—The period specified in this
21 subsection is the period beginning on April 6, 2020, and
22 ending on September 30, 2021.

23 (c) FUNDING.—Out of any funds in the Treasury not
24 otherwise appropriated, there is appropriated to the Sec-

- 1 reary of Veterans Affairs for fiscal year 2021
- 2 \$2,000,000,000 to carry out this section.