

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 2167**

**OFFERED BY Mr. Moore**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “GI Bill National Emer-  
3 gency Extended Deadline Act”.

**4 SEC. 2. EXTENSION OF TIME LIMITATION FOR USE OF ENTI-  
5 TLEMENT UNDER DEPARTMENT OF VET-  
6 ERANS AFFAIRS EDUCATIONAL ASSISTANCE  
7 PROGRAMS BY REASON OF SCHOOL CLO-  
8 SURES DUE TO EMERGENCY AND OTHER SIT-  
9 UATIONS.**

10       (a) MONTGOMERY GI BILL.—Section 3031 of title  
11 38, United States Code, is amended—

12           (1) in subsection (a), by inserting “and sub-  
13 section (i)” after “through (g)”; and

14           (2) by adding at the end the following new sub-  
15 section:

16       “(i)(1) In the case of an individual eligible for edu-  
17 cational assistance under this chapter who is prevented  
18 from pursuing the individual’s chosen program of edu-

1 cation before the expiration of the 10-year period for the  
2 use of entitlement under this chapter otherwise applicable  
3 under this section because of a covered reason, as deter-  
4 mined by the Secretary, such 10-year period—

5 “(A) shall not run during the period the indi-  
6 vidual is so prevented from pursuing such program;  
7 and

8 “(B) shall again begin running on a date deter-  
9 mined by the Secretary that is—

10 “(i) not earlier than the first day after the  
11 individual is able to resume pursuit of a pro-  
12 gram of education with educational assistance  
13 under this chapter; and

14 “(ii) not later than 90 days after that day.

15 “(2) In this subsection, a covered reason is—

16 “(A) the temporary or permanent closure of an  
17 educational institution by reason of an emergency  
18 situation; or

19 “(B) another reason that prevents the indi-  
20 vidual from pursuing the individual’s chosen pro-  
21 gram of education, as determined by the Sec-  
22 retary.”.

23 (b) POST-9/11 EDUCATIONAL ASSISTANCE.— Section  
24 3321(b)(1) of such title is amended—

25 (1) by inserting “(A)” before “Subsections”;

1 (2) by striking “and (d)” and inserting “(d),  
2 and (i)”; and

3 (3) by adding at the end the following new sub-  
4 paragraph:

5 “(B) Subsection (i) of section 3031 of this title  
6 shall apply with respect to the running of the 15-  
7 year period described in paragraphs (4)(A) and  
8 (5)(A) of this subsection in the same manner as  
9 such subsection applies under section 3031 with re-  
10 spect to the running of the 10-year period described  
11 in section 3031(a).”.

12 **SEC. 3. EXTENSION OF PERIOD OF ELIGIBILITY BY REASON**  
13 **OF SCHOOL CLOSURES DUE TO EMERGENCY**  
14 **AND OTHER SITUATIONS UNDER DEPART-**  
15 **MENT OF VETERANS AFFAIRS TRAINING AND**  
16 **REHABILITATION PROGRAM FOR VETERANS**  
17 **WITH SERVICE-CONNECTED DISABILITIES.**

18 Section 3103 of title 38, United States Code, is  
19 amended—

20 (1) in subsection (a), by striking “or (g)” and  
21 inserting “(g), or (h)”; and

22 (2) by adding at the end the following new sub-  
23 section:

24 “(h)(1) In the case of a veteran who is eligible for  
25 a vocational rehabilitation program under this chapter and

1 who is prevented from participating in the vocational reha-  
2 bilitation program within the period of eligibility pre-  
3 scribed in subsection (a) because of a covered reason, as  
4 determined by the Secretary, such period of eligibility—

5 “(A) shall not run during the period the vet-  
6 eran is so prevented from participating in such pro-  
7 gram; and

8 “(B) shall again begin running on a date deter-  
9 mined by the Secretary that is—

10 “(i) not earlier than the first day after the  
11 veteran is able to resume participation in a vo-  
12 cational rehabilitation program under this chap-  
13 ter; and

14 “(ii) not later than 90 days after that day.

15 “(2) In this subsection, a covered reason is—

16 “(A) the temporary or permanent closure of an  
17 educational institution by reason of an emergency  
18 situation; or

19 “(B) another reason that prevents the veteran  
20 from participating in the vocational rehabilitation  
21 program, as determined by the Secretary.”.

1 **SEC. 4. DEPARTMENT OF VETERANS AFFAIRS DIS-**  
2 **APPROVAL OF COURSES OFFERED BY PUBLIC**  
3 **INSTITUTIONS OF HIGHER LEARNING THAT**  
4 **DO NOT CHARGE VETERANS THE IN-STATE**  
5 **TUITION RATE FOR PURPOSES OF SUR-**  
6 **VIVORS' AND DEPENDENTS' EDUCATIONAL**  
7 **ASSISTANCE PROGRAM.**

8 (a) IN GENERAL.—Section 3679(c) of title 38,  
9 United States Code, is amended—

10 (1) in paragraph (1), by striking “or 33” and  
11 inserting “33, or 35”;

12 (2) in paragraph (2), by adding at the end the  
13 following new subparagraph:

14 “(D) An individual who is entitled to assistance  
15 under section 3510 of this title.”; and

16 (3) in paragraph (6), by striking “and 33” and  
17 inserting “33, and 35”.

18 (b) CONFORMING AMENDMENTS.—Section 3679(e)  
19 of such title is amended—

20 (1) in paragraph (1)—

21 (A) in subparagraph (A), by striking “or  
22 33” and inserting “, 33, or 35”; and

23 (B) in subparagraph (B), by striking “or  
24 33” and inserting “33, or 35”; and

25 (2) in paragraph (2), by striking “or 33” and  
26 inserting “33, or 35”.

1 (c) EFFECTIVE DATE.—The amendments made by  
2 this Act shall take effect on the date of the enactment  
3 of this Act and shall apply with respect to an academic  
4 period that begins on or after August 1, 2022.

5 **SEC. 5. IMPROVEMENTS TO INFORMATION TECHNOLOGY**  
6 **SERVICES USED TO PROCESS CLAIMS FOR**  
7 **EDUCATIONAL ASSISTANCE.**

8 (a) MODERN INFORMATION TECHNOLOGY SERV-  
9 ICE.—The Secretary of Veterans Affairs shall implement  
10 an information technology service to process claims for  
11 educational assistance under chapters 30, 33, 35, and 36  
12 of title 38, United States Code, using one or more com-  
13 mercial software systems. The Secretary shall complete  
14 such implementation not later than August 1, 2024.

15 (b) REQUIRED CAPABILITIES.—The Secretary shall  
16 ensure that the modern information technology service  
17 under subsection (a) has the following capabilities:

18 (1) As compared to legacy information tech-  
19 nology systems—

20 (A) the ability to process claims faster and  
21 in a more efficient manner by improving proc-  
22 essing integration and accuracy;

23 (B) improved data exchange and reporting;  
24 and

1 (C) improved customer integration and  
2 simplification of the online experience.

3 (2) Timely communication by employees of the  
4 Department of Veterans Affairs to individuals and  
5 educational institutions using an online portal that  
6 can provide real-time information on claims for edu-  
7 cational assistance.

8 (3) The ability to be customized to address fu-  
9 ture capabilities required by law.

10 (4) Fully automated to the extent practicable  
11 for all original and supplemental claims, including  
12 with respect to calculating accurate awards.

13 (5) The ability for individuals entitled to edu-  
14 cational assistance to electronically apply for, with-  
15 draw from, and amend such entitlement, and to re-  
16 allocate a transferred entitlement.

17 (6) The ability to electronically process changes  
18 made by educational institutions.

19 (7) The ability to verify attendance at an edu-  
20 cational institution.

21 (8) The ability to process validations made by  
22 an educational institution.

23 (c) INITIAL REPORT.—Not later than 120 days after  
24 the date of the enactment of this Act, the Secretary shall  
25 submit to the Committees on Veterans' Affairs of the

1 House of Representatives and the Senate a report con-  
2 taining information on the cost, schedule, and perform-  
3 ance of the project for implementing such system, includ-  
4 ing, with respect to such project, the following:

5 (1) An estimate of acquisition, implementation,  
6 and life cycle costs (including all direct and indirect  
7 costs to acquire, implement, operate, and maintain  
8 such system).

9 (2) An intended implementation schedule indi-  
10 cating significant milestones, initial operating capa-  
11 bility, and full operating capability or completion.

12 (3) Key business, functional, or performance  
13 objectives.

14 (4) With respect to both original claims and  
15 supplemental claims processed on a monthly basis,  
16 statistics regarding—

17 (A) the number of such claims processed  
18 using legacy information systems;

19 (B) the number of such claims that were  
20 off-ramped and processed manually; and

21 (C) the number of such claims estimated  
22 to be processed using the modern information  
23 technology service.

24 (5) The amount of savings that are estimated  
25 to be realized from using the modern information



1 technology service rather than legacy information  
2 technology systems.

3 (6) The estimated accuracy of processing  
4 claims.

5 (7) The estimated timeliness for—

6 (A) processing original claims; and

7 (B) processing supplemental claims.

8 (8) A description of how the modern informa-  
9 tion technology service will—

10 (A) automate the processing of original  
11 claims; and

12 (B) automate the processing of supple-  
13 mental claims.

14 (d) UPDATED INFORMATION.—

15 (1) ANNUAL REPORTS.—On an annual basis  
16 during the period in which the Secretary is imple-  
17 menting the modern information technology service,  
18 the Secretary shall submit to the Committees on  
19 Veterans' Affairs of the House of Representatives  
20 and the Senate a report containing updated informa-  
21 tion regarding the matters specified in subsection  
22 (e). Each such updated report shall identify any  
23 changes to the cost, schedule, or performance of the  
24 project to implement such system.

25 (2) NOTIFICATION.—

1 (A) REQUIREMENT.—Not later than 60  
2 days after the date on which an action de-  
3 scribed in subparagraph (B) occurs, the Sec-  
4 retary shall submit to the Committees on Vet-  
5 erans' Affairs of the House of Representatives  
6 and the Senate a notification of such action, in-  
7 cluding a description of and explanation for  
8 such action.

9 (B) ACTION DESCRIBED.—An action de-  
10 scribed in this subparagraph is, with respect to  
11 the project to implement the modern informa-  
12 tion technology service, any of the following:

13 (i) With respect to the acquisition, im-  
14 plementation, or life cycle cost of the  
15 project, or an increment therein, a change  
16 or variance that is 10 percent or greater  
17 compared to the amount identified the  
18 most recent report submitted under para-  
19 graph (1).

20 (ii) With respect to the schedule for  
21 achieving a significant milestone, initial op-  
22 erating capability, or final completion of  
23 the project, a change or variance that is  
24 180 days or greater compared to the

1 schedule identified the most recent report  
2 submitted under paragraph (1).

3 (iii) With respect to the performance,  
4 an instance where a key business, func-  
5 tional, or performance objective is not at-  
6 tained, or is not anticipated to be attained,  
7 in whole or in part.

8 (h) AUTHORIZATION OF APPROPRIATIONS.—There is  
9 authorized to be appropriated to the Secretary of Veterans  
10 Affairs for fiscal years 2022 through 2024 a total of  
11 \$250,000,000 to carry out this section.

12 (i) DEFINITIONS.—In this section:

13 (1) The term “legacy information technology  
14 system” means an information technology system  
15 used by the Department of Veterans Affairs to proc-  
16 ess claims for educational assistance under chapters  
17 30, 33, 35, and 36 of title 38, United States Code,  
18 before the date on which the Secretary of Veterans  
19 Affairs awards a contract under subsection (a) for  
20 the modern information technology service.

21 (2) The term “modern information technology  
22 service” means the information technology service  
23 implemented under subsection (a) to process claims

- 1 for educational assistance under chapters 30, 33, 35,
- 2 and 36 of title 38, United States Code.

