

Suspend the Rules and Pass the Bill, HR. 3218, with An Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

115TH CONGRESS
1ST SESSION

H. R. 3218

To amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2017

Mr. ROE of Tennessee (for himself, Mr. WALZ, Mr. MCCARTHY, Mr. MESSER, Mr. RUTHERFORD, Mr. HIGGINS of Louisiana, Mr. BERGMAN, Mr. BANKS of Indiana, Mr. MULLIN, Mr. ARRINGTON, Mr. WENSTRUP, Mrs. RADEWAGEN, Mr. COOK, Mr. MCKINLEY, Mrs. BROOKS of Indiana, Mr. FITZPATRICK, Mr. LABRADOR, Mr. BOST, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. COSTELLO of Pennsylvania, Mr. DUNN, Mr. SMUCKER, Mr. POLIQUIN, Mr. WALBERG, Mr. COFFMAN, Mr. BILIRAKIS, Mr. BISHOP of Michigan, Mr. PETERS, Ms. SHEA-PORTER, Mr. RUSH, Mr. RYAN of Ohio, Mr. SCOTT of Virginia, Mr. SABLAN, Ms. ESTY of Connecticut, Ms. GABBARD, Mr. TAKANO, Mr. THOMPSON of California, Mr. PETERSON, Mr. O'ROURKE, Miss RICE of New York, Ms. ROSEN, Mr. BROWN of Maryland, Mrs. DAVIS of California, Mr. CARBAJAL, Mr. BUTTERFIELD, Ms. KUSTER of New Hampshire, Ms. BROWNLEY of California, Ms. WASSERMAN SCHULTZ, Mr. CORREA, Mr. DEFazio, Mr. PANETTA, Mr. MOULTON, Ms. TITUS, Ms. SINEMA, Mr. BISHOP of Georgia, Mr. PALAZZO, Mr. RICHMOND, and Mr. COURTNEY) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, 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 amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Harry W. Colmery Veterans Educational Assistance Act
6 of 2017”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References to title 38, United States Code.

TITLE I—POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM

Sec. 101. Consideration of certain time spent receiving medical care from Secretary of Defense as active duty for purposes of eligibility for Post-9/11 Educational Assistance.

Sec. 102. Educational assistance under Post-9/11 Educational Assistance Program for members of the Armed Forces awarded the Purple Heart.

Sec. 103. Inclusion of Fry Scholarship recipients and Purple Heart recipients in Yellow Ribbon G.I. Education Enhancement Program.

Sec. 104. Inclusion of certain members of the Armed Forces serving on active duty in Yellow Ribbon G.I. Education Enhancement Program.

Sec. 105. Consolidation of certain eligibility tiers under Post-9/11 Educational Assistance Program of the Department of Veterans Affairs.

Sec. 106. Eligibility for Post-9/11 Educational Assistance for certain members of reserve components of Armed Forces who lost entitlement to educational assistance under Reserve Educational Assistance Program.

Sec. 107. Calculation of monthly housing stipend under Post-9/11 Educational Assistance Program based on location of campus where classes are attended.

Sec. 108. Charge to entitlement for certain licensure and certification tests and national tests under Department of Veterans Affairs Post-9/11 Educational Assistance Program.

Sec. 109. Restoration of entitlement to educational assistance and other relief for veterans affected by school closure or disapproval.

- Sec. 110. Additional authorized transfer of unused Post-9/11 Educational Assistance benefits to dependents upon death of originally designated dependent.
- Sec. 111. Edith Nourse Rogers STEM Scholarship.
- Sec. 112. Honoring the national service of members of the Armed Forces by elimination of time limitation for use of entitlement.
- Sec. 113. Monthly stipend for certain members of the reserve components of the Armed Forces receiving Post-9/11 Educational Assistance.
- Sec. 114. Annual reports to Congress on information on student progress submitted by educational institutions.
- Sec. 115. Improvement of information technology of the veterans benefits administration of the Department of Veterans Affairs.
- Sec. 116. Department of Veterans Affairs high technology pilot program.

TITLE II—OTHER EDUCATIONAL ASSISTANCE PROGRAMS

- Sec. 201. Work-study allowance.
- Sec. 202. Duration of educational assistance under Survivors' and Dependents' Educational Assistance Program.
- Sec. 203. Olin E. Teague increase in amounts of educational assistance payable under Survivors' and Dependents' Educational Assistance Program.

TITLE III—ADMINISTRATION OF EDUCATIONAL ASSISTANCE PROGRAMS

- Sec. 301. State approving agency funding.
- Sec. 302. Authorization for use of Post-9/11 Educational Assistance to pursue independent study programs at certain educational institutions that are not institutions of higher learning.
- Sec. 303. Provision of information on priority enrollment for veterans in certain courses of education.
- Sec. 304. Limitation on use of reporting fees payable to educational institutions and sponsors of programs of apprenticeship.
- Sec. 305. Training for school certifying officials.
- Sec. 306. Extension of authority for Advisory Committee on Education.
- Sec. 307. Department of Veterans Affairs provision of on-campus educational and vocational counseling for veterans.
- Sec. 308. Provision of information regarding veteran entitlement to educational assistance.
- Sec. 309. Treatment, for purposes of educational assistance administered by the Secretary of Veterans Affairs, of educational courses that begin seven or fewer days after the first day of an academic term.
- Sec. 310. Inclusion of risk-based reviews in State approving agency oversight activities.
- Sec. 311. Comptroller General study of State approving agency performance.

TITLE IV—RESERVE COMPONENT BENEFITS

- Sec. 401. Eligibility of reserve component members for Post-9/11 Educational Assistance.
- Sec. 402. Time limitation for training and rehabilitation for veterans with service-connected disabilities.

TITLE V—OTHER MATTERS

Sec. 501. Repeal inapplicability of modification of basic allowance for housing to benefits under laws administered by Secretary of Veterans Affairs.

Sec. 502. Reconsideration of previously denied claims for disability compensation for veterans who allege full-body exposure to nitrogen mustard gas, sulfur mustard gas, or Lewisite during World War II.

1 **SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.**

2 Except as otherwise expressly provided, whenever in
3 this Act an amendment or repeal is expressed in terms
4 of an amendment to, or repeal of, a section or other provi-
5 sion, the reference shall be considered to be made to a
6 section or other provision of title 38, United States Code.

7 **TITLE I—POST-9/11 EDU-**
8 **CATIONAL ASSISTANCE PRO-**
9 **GRAM**

10 **SEC. 101. CONSIDERATION OF CERTAIN TIME SPENT RE-**
11 **CEIVING MEDICAL CARE FROM SECRETARY**
12 **OF DEFENSE AS ACTIVE DUTY FOR PUR-**
13 **POSES OF ELIGIBILITY FOR POST-9/11 EDU-**
14 **CATIONAL ASSISTANCE.**

15 (a) IN GENERAL.—Section 3301(1)(B) is amended
16 by inserting “12301(h),” after “12301(g),”.

17 (b) RETROACTIVE APPLICATION.—The amendment
18 made by subsection (a) shall apply with respect to service
19 in the Armed Forces occurring on or after September 11,
20 2001.

21 (c) APPLICATION WITH RESPECT TO USE OF ENTI-
22 TLEMENT.—An individual who is entitled to educational

1 assistance by reason of the amendment made by sub-
2 section (a) may use such entitlement to pursue a course
3 of education beginning on or after August 1, 2018.

4 **SEC. 102. EDUCATIONAL ASSISTANCE UNDER POST-9/11**
5 **EDUCATIONAL ASSISTANCE PROGRAM FOR**
6 **MEMBERS OF THE ARMED FORCES AWARDED**
7 **THE PURPLE HEART.**

8 (a) **ELIGIBILITY.**—Section 3311(b) is amended by
9 adding at the end the following new paragraph:

10 “(10) An individual who is awarded the Purple
11 Heart for service in the Armed Forces occurring on
12 or after September 11, 2001, and continues to serve
13 on active duty in the Armed Forces or is discharged
14 or released from active duty as described in sub-
15 section (c).”.

16 (b) **AMOUNT OF ASSISTANCE.**—Section 3313(c)(1) is
17 amended by striking “or (9)” and inserting “(9), or (10)”.

18 (c) **EFFECTIVE DATE.**—The amendments made by
19 this section shall take effect on August 1, 2018.

1 **SEC. 103. INCLUSION OF FRY SCHOLARSHIP RECIPIENTS**
2 **AND PURPLE HEART RECIPIENTS IN YELLOW**
3 **RIBBON G.I. EDUCATION ENHANCEMENT**
4 **PROGRAM.**

5 (a) IN GENERAL.—Section 3317(a) is amended, in
6 the second sentence, by striking “paragraphs (1) and (2)”
7 and inserting “paragraphs (1), (2), (9), and (10)”.

8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) shall take effect on August 1, 2018.

10 **SEC. 104. INCLUSION OF CERTAIN MEMBERS OF THE**
11 **ARMED FORCES SERVING ON ACTIVE DUTY**
12 **IN YELLOW RIBBON G.I. EDUCATION EN-**
13 **HANCEMENT PROGRAM.**

14 (a) IN GENERAL.—Section 3317(a) is amended, in
15 the first sentence, by striking “section 3313(c)(1)(A)” and
16 inserting “subsection (c)(1)(A) or (e)(2)(A) of section
17 3313 of this title”.

18 (b) EFFECTIVE DATE.—The amendment made by
19 subsection (a) shall take effect on August 1, 2022.

20 **SEC. 105. CONSOLIDATION OF CERTAIN ELIGIBILITY TIERS**
21 **UNDER POST-9/11 EDUCATIONAL ASSISTANCE**
22 **PROGRAM OF THE DEPARTMENT OF VET-**
23 **ERANS AFFAIRS.**

24 (a) ENTITLEMENT.—Section 3311(b), as amended by
25 section 102, is further amended—

1 (1) in paragraph (6)(A), by striking “12
2 months” and inserting “6 months”;

3 (2) by striking paragraph (7); and

4 (3) by redesignating paragraphs (8), (9), and
5 (10) as paragraphs (7), (8), and (9), respectively.

6 (b) AMOUNT OF EDUCATIONAL ASSISTANCE.—Sec-
7 tion 3313(c) is amended by striking paragraph (7).

8 (c) CONFORMING AMENDMENTS.—Chapter 33 is fur-
9 ther amended as follows:

10 (1) In section 3311(f), by striking “paragraph
11 (9)” each place it appears and inserting “paragraph
12 (8)”.

13 (2) In section 3313, as amended by section
14 102—

15 (A) in subsection (c)(1), by striking “(9),
16 or (10)” and inserting “(8), or (9)”;

17 (B) in subsection (d), by striking “para-
18 graphs (2) through (7)” each place it appears
19 and inserting “paragraphs (2) through (6)”;

20 (C) in subsection (e)(2)(C)—

21 (i) by striking “paragraphs (3)
22 through (8)” and inserting “paragraphs
23 (3) through (7)”;

1 (ii) by striking “paragraphs (2)
2 through (7)” and inserting “paragraphs
3 (2) through (6)”.

4 (D) in subsection (f)(2)(A)(ii), by striking
5 “paragraphs (2) through (7)” and inserting
6 “paragraphs (2) through (6)”;

7 (E) in subsection (g)(3)—

8 (i) in subparagraph (A)(iv)—

9 (I) by striking “paragraphs (3)
10 through (8)” and inserting “para-
11 graphs (3) through (7)”;

12 (II) by striking “paragraphs (2)
13 through (7)” and inserting “para-
14 graphs (2) through (6)”;

15 (ii) in subparagraph (B)(iii)—

16 (I) by striking “paragraphs (3)
17 through (8)” and inserting “para-
18 graphs (3) through (7)”;

19 (II) by striking “paragraphs (2)
20 through (7)” and inserting “para-
21 graphs (2) through (6)”;

22 (iii) in subparagraph (C)(ii)—

23 (I) in subclause (I), by striking
24 “(9)” and inserting “(8)”;

25 (II) in subclause (II)—

1 (aa) by striking “paragraphs
2 (3) through (8)” and inserting
3 “paragraphs (3) through (7)”;
4 and

5 (bb) by striking “paragraphs
6 (2) through (7)” and inserting
7 “paragraphs (2) through (6)”;
8 and

9 (iv) in subparagraph (D)(ii)—
10 (I) in subclause (I), by striking
11 “(9)” and inserting “(8)”; and

12 (II) in subclause (II)—

13 (aa) by striking “paragraphs
14 (3) through (8)” and inserting
15 “paragraphs (3) through (7)”;
16 and

17 (bb) by striking “paragraphs
18 (2) through (7)” and inserting
19 “paragraphs (2) through (6)”;
20 and

21 (F) in subsection (h), by striking “para-
22 graphs (2) through (7)” and inserting “para-
23 graphs (2) through (6)”;

24 (3) In section 3316—

1 (A) in subsection (a)(1), by striking “para-
2 graphs (2) through (7)” and inserting “para-
3 graphs (2) through (6)”; and

4 (B) in subsection (b)(1), by striking “para-
5 graphs (2) through (7)” and inserting “para-
6 graphs (2) through (6)”.

7 (4) In section 3317(a), in the second sentence,
8 as amended by section 103, by striking “paragraphs
9 (1), (2), (9), and (10)” and inserting “paragraphs
10 (1), (2), (8), and (9)”.

11 (5) In section 3321(b)(4), as amended by sec-
12 tion 112, by striking “section 3311(b)(9)” and in-
13 serting “section 3311(b)(8)”.

14 (6) In section 3322—

15 (A) in subsection (e), by striking
16 “3311(b)(9)” and inserting “3311(b)(8)”;

17 (B) in subsection (f), by striking
18 “3311(b)(9)” and inserting “3311(b)(8)”; and

19 (C) in subsection (h)(2), by striking
20 “3311(b)(9)” and inserting “3311(b)(8)”.

21 (7) In section 3679(c)(2)(B), by striking
22 “3311(b)(9)” and inserting “3311(b)(8)”.

23 (d) EFFECTIVE DATE.—The amendments made by
24 this section shall take effect on August 1, 2020.

1 **SEC. 106. ELIGIBILITY FOR POST-9/11 EDUCATIONAL AS-**
2 **SISTANCE FOR CERTAIN MEMBERS OF RE-**
3 **SERVE COMPONENTS OF ARMED FORCES**
4 **WHO LOST ENTITLEMENT TO EDUCATIONAL**
5 **ASSISTANCE UNDER RESERVE EDUCATIONAL**
6 **ASSISTANCE PROGRAM.**

7 (a) **ELECTION.**—Section 16167 of title 10, United
8 States Code, is amended by adding at the end the fol-
9 lowing new subsection:

10 “(c) **ELIGIBILITY FOR POST-9/11 EDUCATIONAL AS-**
11 **SISTANCE.**—A member who loses eligibility for benefits
12 under this chapter pursuant to subsection (b) shall be al-
13 lowed to elect (in such form and manner as the Secretary
14 of Veterans Affairs may prescribe) to have such service
15 previously credited toward this chapter credited towards
16 establishing eligibility for educational assistance under
17 chapter 33 of title 38, notwithstanding the provisions of
18 section 16163(e) of this title or section 3322(h)(1) of title
19 38.”.

20 (b) **QUALIFICATION OF SERVICE.**—Section 3301(1)
21 of title 38, United States Code, shall be construed to in-
22 clude, in the case of a member of a reserve component
23 of the Armed Forces who, before November 25, 2015, es-
24 tablished eligibility for educational assistance under chap-
25 ter 1607 of title 10, United States Code, pursuant to sec-
26 tion 16163(a)(1) of such title, but lost eligibility for such

1 educational assistance pursuant to section 16167(b) of
2 such title, service on active duty (as defined in section 101
3 of such title) that satisfies the requirements of section
4 16163(a)(1) of such title.

5 (c) ENTITLEMENT.—Section 3311(b)(6) of title 38,
6 United States Code, shall be construed to include an indi-
7 vidual who, before November 25, 2015, established eligi-
8 bility for educational assistance under chapter 1607 of
9 title 10, United States Code, pursuant to section 16163(b)
10 of such title, but lost such eligibility pursuant to section
11 16167(b) of such title.

12 (d) DURATION.—Notwithstanding section 3312 of
13 title 38, United States Code, an individual who establishes
14 eligibility for educational assistance under chapter 33 of
15 such title by crediting towards such chapter service pre-
16 viously credited towards chapter 1607 of title 10, United
17 States Code, is only entitled to a number of months of
18 educational assistance under section 3313 of title 38,
19 United States Code, equal to the number of months of
20 entitlement remaining under chapter 1607 of title 10,
21 United States Code, at the time of conversion to chapter
22 33 of title 38, United States Code.

1 **SEC. 107. CALCULATION OF MONTHLY HOUSING STIPEND**
2 **UNDER POST-9/11 EDUCATIONAL ASSISTANCE**
3 **PROGRAM BASED ON LOCATION OF CAMPUS**
4 **WHERE CLASSES ARE ATTENDED.**

5 (a) IN GENERAL.—Section 3313(c)(1)(B)(i)(I) is
6 amended by striking “the institution of higher learning at
7 which the individual is enrolled” and inserting “the cam-
8 pus of the institution of higher learning where the indi-
9 vidual physically participates in a majority of classes”.

10 (b) EFFECTIVE DATE.—The amendment made by
11 subsection (a) shall apply with respect to initial enrollment
12 in a program of education on or after August 1, 2018.

13 **SEC. 108. CHARGE TO ENTITLEMENT FOR CERTAIN LICEN-**
14 **SURE AND CERTIFICATION TESTS AND NA-**
15 **TIONAL TESTS UNDER DEPARTMENT OF VET-**
16 **ERANS AFFAIRS POST-9/11 EDUCATIONAL AS-**
17 **SISTANCE PROGRAM.**

18 (a) LICENSURE AND CERTIFICATION TESTS.—Sub-
19 section (c) of section 3315 is amended—

20 (1) by striking “shall be determined at the rate
21 of one month (rounded to the nearest whole month)”
22 and inserting “shall be pro-rated based on the actual
23 amount of the fee charged for the test relative to the
24 rate for one month”; and

25 (2) by striking “for each amount paid that
26 equals” and inserting “payable”.

1 (b) NATIONAL TESTS.—Section 3315A is amended—

2 (1) in subsection (a), by adding at the end the
3 following new paragraph:

4 “(3) A national test that evaluates prior learn-
5 ing and knowledge and provides an opportunity for
6 course credit at an institution of higher learning as
7 so described.”; and

8 (2) in subsection (c)—

9 (A) by striking “shall be determined at the
10 rate of one month (rounded to the nearest
11 whole month)” and inserting “shall be pro-
12 rated based on the actual amount of the fee
13 charged for the test relative to the rate for one
14 month”; and

15 (B) by striking “for each amount paid that
16 equals” and inserting “payable”.

17 (c) TESTS INCLUDED.—Section 3452(b) is amended
18 in the last sentence—

19 (1) by striking “and national tests providing”
20 and inserting “, national tests providing”; and

21 (2) by inserting before the period at the end the
22 following: “, and national tests that evaluate prior
23 learning and knowledge and provides an opportunity
24 for course credit at an institution of higher learn-
25 ing”.

1 (d) EFFECTIVE DATE.—The amendments made by
2 this Act shall apply to a test taken on or after August
3 1, 2018.

4 **SEC. 109. RESTORATION OF ENTITLEMENT TO EDU-**
5 **CATIONAL ASSISTANCE AND OTHER RELIEF**
6 **FOR VETERANS AFFECTED BY SCHOOL CLO-**
7 **SURE OR DISAPPROVAL.**

8 (a) SCHOOL CLOSURE OR DISAPPROVAL.—

9 (1) RESTORATION OF ENTITLEMENT.—Chapter
10 36 is amended by adding at the end the following
11 new section:

12 **“§ 3699. Effects of closure or disapproval of edu-**
13 **catinal institution**

14 “(a) CLOSURE OR DISAPPROVAL.—Any payment of
15 educational assistance described in subsection (b) shall
16 not—

17 “(1) be charged against any entitlement to edu-
18 cational assistance of the individual concerned; or

19 “(2) be counted against the aggregate period
20 for which section 3695 of this title limits the receipt
21 of educational assistance by such individual.

22 “(b) EDUCATIONAL ASSISTANCE DESCRIBED.—Sub-
23 ject to subsection (c), the payment of educational assist-
24 ance described in this paragraph is the payment of such
25 assistance to an individual for pursuit of a course or pro-

1 gram of education at an educational institution under
2 chapters 30, 32, 33, or 35 of this title, or chapters 1606
3 or 1607 of title 10, if the Secretary determines that the
4 individual—

5 “(1) was unable to complete such course or pro-
6 gram as a result of—

7 “(A) the closure of the educational institu-
8 tion; or

9 “(B) the disapproval of the course or a
10 course that is a necessary part of that program
11 under this chapter by reason of—

12 “(i) a provision of law enacted after
13 the date on which the individual enrolls at
14 such institution affecting the approval or
15 disapproval of courses under this chapter;
16 or

17 “(ii) after the date on which the indi-
18 vidual enrolls at such institution, the Sec-
19 retary prescribing or modifying regulations
20 or policies of the Department affecting
21 such approval or disapproval; and

22 “(2) did not receive credit or lost training time,
23 toward completion of the program of education being
24 so pursued.

1 “(c) PERIOD NOT CHARGED.—The period for which,
2 by reason of this subsection, educational assistance is not
3 charged against entitlement or counted toward the appli-
4 cable aggregate period under section 3695 of this title
5 shall not exceed the aggregate of—

6 “(1) the portion of the period of enrollment in
7 the course from which the individual did not receive
8 credit or with respect to which the individual lost
9 training time, as determined under subsection
10 (b)(2), and

11 “(2) the period by which a monthly stipend is
12 extended under section 3680(a)(2)(B) of this title.

13 “(d) CONTINUING PURSUIT OF DISAPPROVED
14 COURSES.—(1) The Secretary may treat a course of edu-
15 cation that is disapproved under this chapter as being ap-
16 proved under this chapter with respect to an individual
17 described in paragraph (2) if the Secretary determines,
18 on a case-by-case basis, that—

19 “(A) such disapproval is the result of an action
20 described in clause (i) or (ii) of subsection (b)(1)(B);
21 and

22 “(B) continuing pursuing such course is in the
23 best interest of the individual.

24 “(2) An individual described in this paragraph is an
25 individual who is pursuing a course of education at an

1 educational institution under chapters 30, 32, 33, or 35
2 of this title, or chapters 1606 or 1607 of title 10, as of
3 the date on which the course is disapproved under this
4 chapter.

5 “(e) NOTICE OF CLOSURES.—Not later than five
6 business days after the date on which the Secretary re-
7 ceives notice that an educational institution will close or
8 is closed, the Secretary shall provide to each individual
9 who is enrolled in a course or program or education at
10 such educational institution using entitlement to edu-
11 cational assistance under chapter 30, 32, 33, or 35 of this
12 title, or chapter 1606 or 1607 of title 10, notice of—

13 “(1) such closure and the date of such closure;
14 and

15 “(2) the effect of such closure on the individ-
16 ual’s entitlement to educational assistance pursuant
17 to this section.”.

18 (2) CLERICAL AMENDMENT.—The table of sec-
19 tions at the beginning of such chapter is amended
20 by inserting after the item relating to section 3698
21 the following new item:

“3699. Effects of closure or disapproval of educational institution.”.

22 (b) MONTHLY HOUSING STIPEND.—

23 (1) IN GENERAL.—Subsection (a) section 3680
24 is amended—

1 (A) by striking the matter after paragraph
2 (3)(B);

3 (B) in paragraph (3), by redesignating
4 subparagraphs (A) and (B) as clauses (i) and
5 (ii), respectively;

6 (C) by redesignating paragraphs (1)
7 through (3) as subparagraphs (A) through (C),
8 respectively;

9 (D) in the matter preceding subparagraph
10 (A), as redesignated, in the first sentence, by
11 striking “Payment of” and inserting “(1) Ex-
12 cept as provided in paragraph (2), payment of”;
13 and

14 (E) by adding at the end the following new
15 paragraph (2):

16 “(2) Notwithstanding paragraph (1), the Secretary
17 may, pursuant to such regulations as the Secretary shall
18 prescribe, continue to pay allowances to eligible veterans
19 and eligible persons enrolled in courses set forth in para-
20 graph (1)(A)—

21 “(A) during periods when educational institu-
22 tions are temporarily closed under an established
23 policy based on an Executive order of the President
24 or due to an emergency situation, except that the
25 total number of weeks for which allowances may

1 continue to be so payable in any 12-month period
2 may not exceed four weeks; or

3 “(B) solely for the purpose of awarding a
4 monthly housing stipend described in section 3313
5 of this title, during periods following a permanent
6 closure of an educational institution, or following the
7 disapproval of a course of study described in section
8 3699(b)(1)(B) of this title, except that payment of
9 such a stipend may only be continued until the ear-
10 lier of—

11 “(i) the date of the end of the term, quar-
12 ter, or semester during which the closure or dis-
13 approval occurred; and

14 “(ii) the date that is 120 days after the
15 date of the closure or disapproval.”.

16 (2) CONFORMING AMENDMENT.—Paragraph
17 (1)(C)(ii) of such subsection, as redesignated, is
18 amended by striking “described in subclause (A) of
19 this clause” and inserting “described in clause (i)”.

20 (c) APPLICABILITY.—

21 (1) SCHOOL CLOSURE OR DISAPPROVAL.—

22 (A) IN GENERAL.—The amendments made
23 by subsection (a) shall take effect on the date
24 that is 90 days after the date of the enactment
25 of this Act, and shall apply with respect to

1 courses and programs of education discontinued
2 as described in section 3699 of title 38, United
3 States Code, as added by subsection (a)(1),
4 after January 1, 2015.

5 (B) SPECIAL APPLICATION.—With respect
6 to courses and programs of education discon-
7 tinued as described in section 3699 of title 38,
8 United States Code, as added by subsection
9 (a)(1), during the period beginning January 1,
10 2015, and ending on the date of the enactment
11 of this Act, an individual who does not transfer
12 credits from such program of education shall be
13 deemed to be an individual who did not receive
14 such credits, as described in subsection (b)(2)
15 of such section, except that the period for which
16 the individual's entitlement is not charged shall
17 be the entire period of the individual's enroll-
18 ment in the program of education. In carrying
19 out this paragraph, the Secretary of Veterans
20 Affairs, in consultation with the Secretary of
21 Education, shall establish procedures to deter-
22 mine whether the individual transferred credits
23 to a comparable course or program of edu-
24 cation.

1 (2) MONTHLY HOUSING STIPEND.—The amend-
2 ments made by subsection (b) shall take effect on
3 August 1, 2018, and shall apply with respect to
4 courses and programs of education discontinued as
5 described in section 3699 of title 38, United States
6 Code, as added by such subsection, on or after the
7 date of the enactment of this Act.

8 **SEC. 110. ADDITIONAL AUTHORIZED TRANSFER OF UNUSED**
9 **POST-9/11 EDUCATIONAL ASSISTANCE BENE-**
10 **FITS TO DEPENDENTS UPON DEATH OF**
11 **ORIGINALLY DESIGNATED DEPENDENT.**

12 (a) TRANSFER UPON DEATH OF DEPENDENT.—Sec-
13 tion 3319 is amended—

14 (1) in subsection (f)(1), by inserting after “sec-
15 tion 3321” the following: “, and except as provided
16 in subsection (k) or (l),”; and

17 (2) by adding at the end the following new sub-
18 section:

19 “(k) ADDITIONAL TRANSFER UPON DEATH OF DE-
20 PENDENT.—In the case of a dependent to whom entitle-
21 ment to educational assistance is transferred under this
22 section who dies before using all of such entitlement, the
23 individual who transferred the entitlement to the depend-
24 ent may transfer any remaining entitlement to a different
25 eligible dependent, notwithstanding whether the individual

1 is serving as a member of the Armed Forces when such
2 transfer is executed.

3 “(l) TRANSFER BY DEPENDENT.—In the case of an
4 individual who transfers entitlement to educational assist-
5 ance under this section who dies before the dependent to
6 whom entitlement to educational assistance is so trans-
7 ferred has used all of such entitlement, such dependent
8 may transfer such entitlement to another eligible depend-
9 ent in accordance with the provisions of this section.”.

10 (b) EFFECTIVE DATES.—

11 (1) ELIGIBLE DEATHS.—The amendments
12 made by this section shall apply with respect to
13 deaths occurring on or after August 1, 2009.

14 (2) USE OF ENTITLEMENT.—A dependent to
15 whom entitlement to educational assistance is trans-
16 ferred under subsection (k) or (l) of section 3319 of
17 title 38, United States Code, as added by subsection
18 (a), may use such entitlement to pursue a course of
19 education beginning on or after August 1, 2018.

20 **SEC. 111. EDITH NOURSE ROGERS STEM SCHOLARSHIP.**

21 (a) IN GENERAL.—Subchapter II of chapter 33 is
22 amended by adding at the end the following new section:

23 **“§ 3320. Edith Nourse Rogers STEM Scholarship**

24 “(a) IN GENERAL.—Subject to the limitation under
25 subsection (f), the Secretary shall provide additional bene-

1 fits to eligible individuals selected by the Secretary under
2 this section. Such benefits shall be known as the ‘Edith
3 Nourse Rogers STEM Scholarship’.

4 “(b) ELIGIBILITY.—For purposes of this section, an
5 eligible individual is an individual—

6 “(1) who is or was entitled to educational as-
7 sistance under section 3311 of this title;

8 “(2) who has used all of the educational assist-
9 ance to which the individual is entitled under this
10 chapter or will, based on the individual’s rate of
11 usage, use all of such assistance within 180 days of
12 applying for benefits under this section;

13 “(3) who applies for assistance under this sec-
14 tion; and

15 “(4) who—

16 “(A) is an individual who—

17 “(i) is enrolled in a program of edu-
18 cation leading to a post-secondary degree
19 that, in accordance with the guidelines of
20 the applicable regional or national accred-
21 iting agency, requires more than the stand-
22 ard 128 semester (or 192 quarter) credit
23 hours for completion in a standard, under-
24 graduate college degree in—

- 1 “(I) biological or biomedical
2 science;
- 3 “(II) physical science;
- 4 “(III) science technologies or
5 technicians;
- 6 “(IV) computer and information
7 science and support services;
- 8 “(V) mathematics or statistics;
- 9 “(VI) engineering;
- 10 “(VII) engineering technologies
11 or an engineering-related field;
- 12 “(VIII) a health profession or re-
13 lated program;
- 14 “(IX) a medical residency pro-
15 gram;
- 16 “(X) an agriculture science pro-
17 gram or a natural resources science
18 program; or
- 19 “(XI) other subjects and fields
20 identified by the Secretary as meeting
21 national needs;
- 22 “(ii) has completed at least 60 stand-
23 ard semester (or 90 quarter) credit hours
24 in a field referred to in clause (i); or

1 “(B) is an individual who has earned a
2 post-secondary degree in a field referred to in
3 subparagraph (A)(i) and is enrolled in a pro-
4 gram of education leading to a teaching certifi-
5 cation.

6 “(c) PRIORITY.—In selecting eligible individuals to
7 receive additional benefits under this section, the Sec-
8 retary shall give priority to the following individuals:

9 “(1) Individuals who require the most credit
10 hours described in subsection (b)(4).

11 “(2) Individuals who are entitled to educational
12 assistance under this chapter by reason of para-
13 graph (1), (2), (8), or (9) of section 3311(b) of this
14 title.

15 “(d) AMOUNT OF ASSISTANCE.—(1) The Secretary
16 shall pay to each eligible individual who receives additional
17 benefits under this section the monthly amount payable
18 under section 3313 of this title for not more than nine
19 months of the program of education in which the indi-
20 vidual is enrolled (adjusted with respect to the individual
21 pursuant to section 3313(c), as appropriate), except that
22 the aggregate amount paid to an individual under this sec-
23 tion may not exceed \$30,000.

1 “(2) The Secretary may not pay to such an individual
2 an amount in addition to the amount payable under para-
3 graph (1) by reason of section 3317 of this title.

4 “(3) An individual who receives additional benefits
5 under this section may also receive amounts payable by
6 a college or university pursuant to section 3317 of this
7 title.

8 “(e) PROHIBITION ON TRANSFER.—An individual
9 who receives additional benefits under this section may not
10 transfer any amount of such additional benefits under sec-
11 tion 3319 of this title.

12 “(f) MAXIMUM AMOUNT OF TOTAL ASSISTANCE.—
13 The total amount of benefits paid to all eligible individuals
14 under this section may not exceed—

15 “(1) \$25,000,000 for fiscal year 2019;

16 “(2) \$75,000,000 for each of fiscal years 2020
17 through 2022; and

18 “(3) \$100,000,000 for fiscal year 2023 and
19 each subsequent fiscal year.

20 “(g) CONGRESSIONAL NOTICE.—If the Secretary
21 identifies a new subject or field pursuant to subsection
22 (b)(4)(A)(i)(XI) as meeting a national need, the Secretary
23 shall submit to Congress notice of such identification at
24 least 90 days before conferring eligibility on any individual
25 for purposes of this section on the basis of such identifica-

1 tion, including any analysis of labor market supply and
2 demand used in identifying the new subject or field, as
3 applicable.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of such chapter is amended by inserting
6 after the item relating to section 3319 the following new
7 item:

“3320. Edith Nourse Rogers STEM Scholarship.”.

8 (c) EFFECTIVE DATE.—Section 3320 of title 38,
9 United States Code, shall take effect on August 1, 2019.

10 (d) COMPTROLLER GENERAL REPORT.—

11 (1) INTERIM REPORT.—Not later than August
12 1, 2022, the Comptroller General of the United
13 States shall submit to Congress a report containing
14 the results of an interim assessment of the Comp-
15 troller General of the Edith Nourse Rogers STEM
16 Scholarship program under section 3320 of title 38,
17 United States Code, as added by subsection (a).
18 Such report shall include the recommendations of
19 the Comptroller General for improving the scholar-
20 ship program and an assessment of each of the fol-
21 lowing, using rigorous, systematic, and objective
22 methodology, and including comparisons to eligible
23 veterans who did not participate in the program:

24 (A) An explanation of the identification of
25 the Secretary of Veterans Affairs of subjects

1 and fields meeting national needs under sub-
2 section (b)(4)(A)(i)(XI) of such section, includ-
3 ing any analysis of labor market supply and de-
4 mand, as applicable.

5 (B) An evaluation of the types of edu-
6 cational institutions and programs where bene-
7 ficiaries use the educational assistance provided
8 under the scholarship program.

9 (C) The completion rate of students par-
10 ticipating in the program.

11 (D) The job placement rate for individuals
12 who completed a program of education using
13 educational assistance provided under the schol-
14 arship program in the field of study of the pro-
15 gram of education.

16 (E) The median annual earnings of indi-
17 viduals who completed a program of education
18 using educational assistance provided under the
19 scholarship program.

20 (F) The average age of the individuals who
21 received educational assistance under the schol-
22 arship program.

23 (G) An assessment of the extent to which
24 any educational institutions made changes to
25 degrees or programs of education offered by the

1 institution for which the scholarship program
2 may be used after the date of the enactment of
3 this Act.

4 (2) FINAL REPORT.—Not later than August 1,
5 2024, the Comptroller General shall submit to Con-
6 gress an assessment of such scholarship program
7 that includes each of the following:

8 (A) Each item described in subparagraph
9 (A) through (G) of paragraph (1).

10 (B) The percentage of individuals who
11 completed a program of education using edu-
12 cational assistance provided under the scholar-
13 ship program who were subsequently employed
14 for a period of six months or longer in the field
15 of study of the program of education.

16 (C) The percentage of individuals who
17 completed a program of education using edu-
18 cational assistance provided under the scholar-
19 ship program who were subsequently employed
20 for a period of less than six months in the field
21 of study of the program of education.

1 **SEC. 112. HONORING THE NATIONAL SERVICE OF MEM-**
2 **BERS OF THE ARMED FORCES BY ELIMI-**
3 **NATION OF TIME LIMITATION FOR USE OF**
4 **ENTITLEMENT.**

5 (a) IN GENERAL.—Subsection (a) of section 3321 is
6 amended—

7 (1) by striking “individual’s entitlement” and
8 all that follows through the period and inserting “in-
9 dividual’s entitlement—”; and

10 (2) by adding at the end the following new
11 paragraphs:

12 “(1) in the case of an individual whose last dis-
13 charge or release from active duty is before January,
14 1, 2013, expires at the end of the 15-year period be-
15 ginning on the date of such discharge or release; or

16 “(2) in the case of an individual whose last dis-
17 charge or release from active duty is on or after
18 January 1, 2013, shall not expire.”.

19 (b) CHILDREN OF DECEASED MEMBERS.—Sub-
20 section (b)(4) of such section is amended—

21 (1) by inserting “of this title” after
22 “3311(b)(9)”;

23 (2) by striking “child’s entitlement” and all
24 that follows through the period and inserting
25 “child’s entitlement—”; and

1 (3) by adding at the end the following new sub-
2 paragraphs:

3 “(A) in the case of a child who first be-
4 comes entitled to such entitlement before Janu-
5 ary 1, 2013, expires at the end of the 15-year
6 period beginning on the date of such child’s
7 eighteenth birthday; or

8 “(B) in the case of a child who first be-
9 comes entitled to such entitlement on or after
10 January 1, 2013, shall not expire.”.

11 (c) SPOUSES OF DECEASED MEMBERS.—Subsection
12 (b) of such section is further amended by adding at the
13 end the following new paragraph:

14 “(5) APPLICABILITY TO SPOUSES OF DECEASED
15 MEMBERS.—The period during which a spouse enti-
16 tled to educational assistance by reason of section
17 3311(b)(9) may use such spouse’s entitlement—

18 “(A) in the case of a spouse who first be-
19 comes entitled to such entitlement before Janu-
20 ary 1, 2013, expires at the end of the 15-year
21 period beginning on the date on which the
22 spouse first becomes entitled to such entitle-
23 ment; or

1 “(B) in the case of a spouse who first be-
2 comes entitled to such entitlement on or after
3 January 1, 2013, shall not expire.”.

4 **SEC. 113. MONTHLY STIPEND FOR CERTAIN MEMBERS OF**
5 **THE RESERVE COMPONENTS OF THE ARMED**
6 **FORCES RECEIVING POST-9/11 EDUCATIONAL**
7 **ASSISTANCE.**

8 (a) IN GENERAL.—Section 3313 is further amended
9 by adding at the end the following new subsection:

10 “(j) DETERMINATION OF MONTHLY STIPENDS DUR-
11 ING CERTAIN ACTIVE DUTY SERVICE.—

12 “(1) PRO RATA BASIS.—In any month in which
13 an individual described in paragraph (2) is per-
14 forming active duty service described in section
15 3301(1)(B) of this title, the Secretary shall deter-
16 mine the amount of monthly stipends payable under
17 this section for such month on a pro rata basis for
18 the period of such month in which the covered indi-
19 vidual is not performing such active duty service.

20 “(2) INDIVIDUAL DESCRIBED.—An individual
21 described in this paragraph is an individual who is—

22 “(A) a member of the reserve components
23 of the Armed Forces; and

1 “(B) pursuing a program of education
2 using educational assistance under this chap-
3 ter.”.

4 (b) APPLICATION.—The amendment made by sub-
5 section (a) shall apply with respect to a quarter, semester,
6 or term, as applicable, commencing on or after August 1,
7 2018.

8 **SEC. 114. ANNUAL REPORTS TO CONGRESS ON INFORMA-**
9 **TION ON STUDENT PROGRESS SUBMITTED BY**
10 **EDUCATIONAL INSTITUTIONS.**

11 Section 3326 is amended—

12 (1) by striking “As a condition” and inserting
13 “(a) SUBMITTAL OF INFORMATION BY EDU-
14 CATIONAL INSTITUTIONS.—As a condition”; and

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

17 “(b) REPORTS TO CONGRESS.—Not later than March
18 1 of each year, the Secretary shall submit to Congress a
19 report that includes a summary of the information pro-
20 vided by educational institutions under subsection (a) for
21 the calendar year preceding the year during which such
22 report is submitted.”.

1 **SEC. 115. IMPROVEMENT OF INFORMATION TECHNOLOGY**
2 **OF THE VETERANS BENEFITS ADMINISTRA-**
3 **TION OF THE DEPARTMENT OF VETERANS**
4 **AFFAIRS.**

5 (a) PROCESSING OF CERTAIN EDUCATIONAL ASSIST-
6 ANCE CLAIMS.—The Secretary of Veterans Affairs shall,
7 to the maximum extent possible, make such changes and
8 improvements to the information technology system of the
9 Veterans Benefits Administration of the Department of
10 Veterans Affairs to ensure that—

11 (1) to the maximum extent possible, all original
12 and supplemental claims for educational assistance
13 under chapter 33 of title 38, United States Code,
14 are adjudicated electronically; and

15 (2) rules-based processing is used to make deci-
16 sions with respect to such claims with little human
17 intervention.

18 (b) IMPLEMENTATION PLAN.—Not later than 180
19 days after the date of the enactment of this Act, the Sec-
20 retary of Veterans Affairs shall submit to Congress a plan
21 to implement the changes and improvements described in
22 subsection (a).

23 (c) REPORT.—Not later than one year after the date
24 of the enactment of this Act, the Secretary of Veterans
25 Affairs shall submit to Congress a report on the implemen-

1 tation of the changes and improvements described in sub-
2 section (a).

3 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to the Secretary of Veterans
5 Affairs \$30,000,000 to carry out this section during fiscal
6 years 2018 and 2019.

7 **SEC. 116. DEPARTMENT OF VETERANS AFFAIRS HIGH**
8 **TECHNOLOGY PILOT PROGRAM.**

9 (a) PILOT PROGRAM.—The Secretary of Veterans Af-
10 fairs shall carry out a pilot program under which the Sec-
11 retary shall provide eligible veterans with the opportunity
12 to enroll in high technology programs of education that
13 the Secretary determines provide training or skills sought
14 by employers in a relevant field or industry.

15 (b) ELIGIBILITY.—For purposes of the pilot program
16 under this section, an eligible veteran is a veteran who
17 is entitled to educational assistance under chapter 30, 32,
18 33, 34, or 35 of title 38, United States Code, or chapter
19 1606 or 1607 of title 10, United States Code.

20 (c) CONTRACTS.—

21 (1) IN GENERAL.—For purposes of carrying out
22 subsection (a), by not later than 180 days after Au-
23 gust 1, 2018, the Secretary shall seek to enter into
24 contracts with any number of qualified providers of
25 high technology programs of education for the provi-

1 sion of such programs to eligible veterans under the
2 pilot program. Each such contract shall provide for
3 the conditions under which the Secretary may termi-
4 nate the contract with the provider and the proce-
5 dures for providing for the completion of the instruc-
6 tion of students who were enrolled in a program pro-
7 vided by such provider in the case of such a termi-
8 nation.

9 (2) PAYMENT OF CONTRACTORS.—A contract
10 under this subsection shall provide that the Sec-
11 retary shall pay to a provider—

12 (A) upon the enrollment of an eligible vet-
13 eran in the program, 25 percent of the cost of
14 the tuition and other fees for the program of
15 education for the veteran;

16 (B) upon the completion of the program by
17 the veteran, 25 percent of such cost; and

18 (C) upon the employment of the veteran in
19 the field of study of the program following com-
20 pletion of the program, 50 percent of such cost.

21 (3) QUALIFIED PROVIDERS.—For purposes of
22 the pilot program, a provider of a high technology
23 program of education is qualified if—

24 (A) the provider has been operational for
25 at least two years;

1 (B) the provider has successfully provided
2 the high technology program for at least one
3 year; and

4 (C) the provider meets the approval cri-
5 teria developed by the Secretary under para-
6 graph (4).

7 (4) APPROVAL CRITERIA.—The Secretary shall
8 develop criteria for approving providers for purposes
9 of the pilot program. In developing such criteria, the
10 Secretary may consult with State approving agen-
11 cies. Such criteria is not required to meet the re-
12 quirements of section 3672 of title 38, United States
13 Code.

14 (5) TUITION REIMBURSEMENT.—In entering
15 into contracts to carry out the pilot program, the
16 Secretary shall give preference to a qualified pro-
17 vider that offers tuition reimbursement for any stu-
18 dent who—

19 (A) completes a program of education of-
20 fered by the provider; and

21 (B) does not find full-time meaningful em-
22 ployment in the field of study of the program
23 within the 180-day period beginning on the date
24 the student completes the program.

1 (d) HOUSING STIPEND.—The Secretary shall pay to
2 each eligible veteran who is enrolled in a high technology
3 program of education under the pilot program on a full-
4 time basis a monthly housing stipend equal to the prod-
5 uct—

6 (1) of—

7 (A) in the case of a veteran pursuing resi-
8 dent training, the monthly amount of the basic
9 allowance for housing payable under section
10 403 of title 37, United States Code, for a mem-
11 ber with dependents in pay grade E–5 residing
12 in the military housing area that encompasses
13 all or the majority portion of the ZIP code area
14 in which is located the institution at which the
15 individual is enrolled; or

16 (B) in the case of a veteran pursuing a
17 program of education through distance learn-
18 ing, a monthly amount equal to 50 percent of
19 the amount payable under subparagraph (A),
20 multiplied by

21 (2) the lesser of—

22 (A) 1.0; or

23 (B) the number of course hours borne by
24 the individual in pursuit of the program of edu-
25 cation involved, divided by the minimum num-

1 ber of course hours required for full-time pur-
2 suit of such program of education, rounded to
3 the nearest multiple of 10.

4 (e) HIGH TECHNOLOGY PROGRAM OF EDUCATION
5 DEFINED.—In this section, the term “high technology
6 program of education” means a program of education
7 that—

8 (1) is offered by an entity other than an institu-
9 tion of higher learning;

10 (2) does not lead to a degree; and

11 (3) provides instruction in computer program-
12 ming, computer software, media application, data
13 processing, or information sciences.

14 (f) REPORTS.—

15 (1) SECRETARY OF VETERANS AFFAIRS.—Not
16 later than one year after the date of the enactment
17 of this Act, and annually thereafter, the Secretary
18 shall submit to Congress a report on the pilot pro-
19 gram under this section.

20 (2) COMPTROLLER GENERAL.—

21 (A) INTERIM REPORT.—Not later than
22 three years after the date on which the Sec-
23 retary first enters into a contract under this
24 section, the Comptroller General of the United
25 States shall submit to Congress a report con-

1 taining the results of the interim assessment of
2 the Comptroller General. Such report shall in-
3 clude the recommendations of the Comptroller
4 General for improving the pilot program and an
5 assessment of each of the following:

6 (i) The technology experience of the
7 directors and instructors of the providers
8 of high technology programs of education
9 under the pilot program.

10 (ii) Whether the providers cooperated
11 with the technology industry to create the
12 curriculum for the program of education.

13 (iii) Whether the providers use an
14 open source curriculum for the program of
15 education.

16 (iv) The admittance rate into the pilot
17 program.

18 (v) The job placement and retention
19 rate for veterans who completed a program
20 of education under the pilot program in
21 the field of study of the program.

22 (vi) The percentage of veterans who
23 completed a program of education under
24 the pilot program who were subsequently

1 employed for a period of six months or
2 longer in a field of study of the program.

3 (vii) The percentage of veterans who
4 completed a program of education under
5 the pilot program who were subsequently
6 employed for a period of less than six
7 months in a field of study of the program.

8 (viii) The median annual salary of
9 veterans who completed a program of edu-
10 cation under the pilot program and were
11 subsequently employed.

12 (ix) As applicable, the transfer rates
13 to other academic or vocational programs
14 and certifications and licensure exam pas-
15 sage rates.

16 (x) The average age of veterans who
17 participated in the pilot program.

18 (B) FINAL REPORT.—Not later than five
19 years after the date on which the Secretary first
20 enters into a contract under this section, the
21 Comptroller General shall submit to Congress a
22 final report on the pilot program. Such report
23 shall include the recommendation of the Comp-
24 troller General with respect to whether the pro-
25 gram should be extended and an assessment of

1 each item described in clauses (i) through (x) of
2 subparagraph (A).

3 (g) AUTHORIZATION OF APPROPRIATIONS.—For each
4 fiscal year during which the Secretary carries out a pilot
5 program under this section, \$15,000,000 shall be made
6 available for such purpose from funds appropriated to, or
7 otherwise made available to, the Department for the pay-
8 ment of readjustment benefits.

9 (h) TERMINATION.—The authority to carry out a
10 pilot program under this section shall terminate on the
11 date that is five years after the date on which the Sec-
12 retary first enters into a contract under this section.

13 **TITLE II—OTHER EDUCATIONAL** 14 **ASSISTANCE PROGRAMS**

15 **SEC. 201. WORK-STUDY ALLOWANCE.**

16 Section 3485(a)(4) is amended by striking “the pe-
17 riod beginning on June 30, 2017, and ending on June 30,
18 2022,” each place it appears and inserting “any time on
19 or after June 30, 2017.”

20 **SEC. 202. DURATION OF EDUCATIONAL ASSISTANCE UNDER** 21 **SURVIVORS’ AND DEPENDENTS’ EDU-** 22 **CATIONAL ASSISTANCE PROGRAM.**

23 Section 3511(a)(1) is amended—

1 (1) by striking “chapter for” and all that fol-
2 lows through the period and inserting “chapter—”;
3 and

4 (2) by adding at the end the following new sub-
5 paragraphs:

6 “(A) in the case of a person who first enrolls
7 in a program of education using such entitlement be-
8 fore August 1, 2018, for an aggregate period not in
9 excess of 45 months (or to the equivalent thereof in
10 part-time training); or

11 “(B) in the case of a person who first enrolls
12 in a program of education using such entitlement on
13 or after August 1, 2018, for an aggregate period not
14 in excess of 36 months (or to the equivalent thereof
15 in part-time training).”.

16 **SEC. 203. OLIN E. TEAGUE INCREASE IN AMOUNTS OF EDU-**
17 **CATIONAL ASSISTANCE PAYABLE UNDER**
18 **SURVIVORS’ AND DEPENDENTS’ EDU-**
19 **CATIONAL ASSISTANCE PROGRAM.**

20 (a) INCREASE.—Section 3532 is amended—

21 (1) in subsection (a)—

22 (A) in paragraph (1)—

23 (i) by striking “\$788” and inserting
24 “\$1,224”;

1 (ii) by striking “\$592” and inserting
2 “\$967”; and

3 (iii) by striking “\$394” and inserting
4 “\$710”; and

5 (B) in paragraph (2)(B), by striking
6 “\$788” and inserting “\$1,224”; and

7 (2) in subsection (b), by striking “\$788” and
8 inserting “\$1,224”.

9 (b) EFFECTIVE DATE.—The amendments made by
10 subsection (a) shall apply with respect to a month that
11 begins on or after October 1, 2018.

12 **TITLE III—ADMINISTRATION OF**
13 **EDUCATIONAL ASSISTANCE**
14 **PROGRAMS**

15 **SEC. 301. STATE APPROVING AGENCY FUNDING.**

16 (a) INCREASE.—Section 3674(a) of title 38, United
17 States Code, is amended—

18 (1) in paragraph (2)(A), by striking “out of
19 amounts available for the payment of readjustment
20 benefits” and inserting “out of amounts in the De-
21 partment of Veterans Affairs readjustment benefits
22 account and amounts appropriated to the Sec-
23 retary”;

24 (2) by redesignating paragraph (4) as para-
25 graph (5);

1 (3) by inserting after paragraph (3) the fol-
2 lowing new paragraph (4):

3 “(4) In addition to amounts made available under
4 paragraph (5), there is authorized to be appropriated to
5 carry out this section \$3,000,000 for fiscal year 2019 and
6 each subsequent fiscal year.”; and

7 (4) in paragraph (5), as so redesignated—

8 (A) by striking “The total” and inserting
9 “(A) The total”;

10 (B) by striking “for any fiscal year shall
11 be \$19,000,000” and inserting “for fiscal year
12 2018 shall be \$21,000,000 and for fiscal year
13 2019 and thereafter shall be \$23,000,000”; and

14 (C) by adding at the end the following new
15 subparagraph:

16 “(B) Beginning in fiscal year 2019, whenever there
17 is an increase in benefit amounts payable under title II
18 of the Social Security Act (42 U.S.C. 401 et seq.) as a
19 result of a determination made under section 215(i) of
20 such Act (42 U.S.C. 415(i)), the Secretary shall, effective
21 on the date of such increase in benefit amounts, increase
22 the amount in effect under subparagraph (A), as in effect
23 immediately prior to the date of such increase in benefit
24 amounts payable under title II of the Social Security Act,

1 by the same percentage as the percentage by which such
2 benefit amounts are increased.”.

3 **SEC. 302. AUTHORIZATION FOR USE OF POST-9/11 EDU-**
4 **CATIONAL ASSISTANCE TO PURSUE INDE-**
5 **PENDENT STUDY PROGRAMS AT CERTAIN**
6 **EDUCATIONAL INSTITUTIONS THAT ARE NOT**
7 **INSTITUTIONS OF HIGHER LEARNING.**

8 Section 3680A is amended—

9 (1) in subsection (a)—

10 (A) in the matter preceding paragraph (1),
11 by striking “in—” and inserting “in any of the
12 following:”;

13 (B) in paragraph (1)—

14 (i) by striking “any” and inserting
15 “Any”; and

16 (ii) by striking the semicolon at the
17 end and inserting a period;

18 (C) in paragraph (2)—

19 (i) by striking “any” and inserting
20 “Any”; and

21 (ii) by striking the semicolon at the
22 end and inserting a period;

23 (D) in paragraph (3)—

24 (i) by striking “any” and inserting
25 “Any”; and

1 (ii) by striking “; or” and inserting a
2 period; and

3 (E) by striking paragraph (4) and insert-
4 ing the following new paragraph (4):

5 “(4) Any independent study program except an
6 independent study program (including such a pro-
7 gram taken over open circuit television) that—

8 “(A) is accredited by an accrediting agency
9 or association recognized by the Secretary of
10 Education under subpart 2 of part H of title IV
11 of the Higher Education Act of 1965 (20
12 U.S.C. 1099b);

13 “(B) leads to—

14 “(i) a standard college degree;

15 “(ii) a certificate that reflects edu-
16 cational attainment offered by an institu-
17 tion of higher learning; or

18 “(iii) a certificate that reflects comple-
19 tion of a course of study offered by—

20 “(I) an area career and technical
21 education school (as defined in sub-
22 paragraphs (C) and (D) of section
23 3(3) of the Carl D. Perkins Career
24 and Technical Education Act of 2006
25 (20 U.S.C. 2302(3))) that provides

1 education at the postsecondary level;
2 or

3 “(II) a postsecondary vocational
4 institution (as defined in section
5 102(c) of the Higher Education Act of
6 1965 (20 U.S.C. 1002(c))) that pro-
7 vides education at the postsecondary
8 level; and

9 “(C) in the case of a program described in
10 subparagraph (B)(iii)—

11 “(i) provides training aligned with the
12 requirements of employers in the State or
13 local area where the program is located,
14 which may include in-demand industry sec-
15 tors or occupations; and

16 “(ii) provides a student, upon comple-
17 tion of the program, with a recognized
18 postsecondary credential that is recognized
19 by employers in the relevant industry,
20 which may include a credential recognized
21 by industry or sector partnerships in the
22 State or local area where the industry is
23 located; and

24 “(iii) meets such content and instruc-
25 tional standards as may be required to

1 comply with the criteria under section
2 3676(c)(14) and(15) of this title.”; and

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

5 “(h) In this section, the terms ‘State or local area’,
6 ‘recognized postsecondary credential’, ‘industry or sector
7 partnership’, and ‘in-demand industry sector or occupa-
8 tion’ have the meaning given such terms in section 3 of
9 the Workforce Innovation and Opportunity Act (29 U.S.C.
10 3102).”.

11 **SEC. 303. PROVISION OF INFORMATION ON PRIORITY EN-**
12 **ROLLMENT FOR VETERANS IN CERTAIN**
13 **COURSES OF EDUCATION.**

14 Section 3698(c)(1)(C) is amended—

15 (1) in clause (ix), by striking “and” at the end;

16 (2) in clause (x), by striking the period and in-
17 serting “; and”; and

18 (3) by adding at the end the following new
19 clause:

20 “(xi) information on whether the institu-
21 tion administers a priority enrollment system
22 that allows certain student veterans to enroll in
23 courses earlier than other students.”.

1 **SEC. 304. LIMITATION ON USE OF REPORTING FEES PAY-**
2 **ABLE TO EDUCATIONAL INSTITUTIONS AND**
3 **SPONSORS OF PROGRAMS OF APPRENTICE-**
4 **SHIP.**

5 (a) IN GENERAL.—Subsection (c) of section 3684 is
6 amended to read as follows:

7 “(c)(1) The Secretary may pay to any educational in-
8 stitution, or to the sponsor of a program of apprenticeship,
9 furnishing education or training under either this chapter
10 or chapter 31, 34, or 35 of this title, a reporting fee which
11 will be in lieu of any other compensation or reimbursement
12 for reports or certifications which such educational institu-
13 tion or sponsor of a program of apprenticeship is required
14 to submit to the Secretary by law or regulation.

15 “(2) Such reporting fee shall be computed for each
16 calendar year by multiplying \$16 by the number of eligible
17 veterans or eligible persons enrolled under this chapter or
18 chapter 31, 34, or 35 of this title. The reporting fee shall
19 be paid to such educational institution or sponsor of a pro-
20 gram of apprenticeship as soon as feasible after the end
21 of the calendar year for which it is applicable.

22 “(3) No reporting fee payable to an educational insti-
23 tution under this subsection shall be subject to offset by
24 the Secretary against any liability of such institution for
25 any overpayment for which such institution may be admin-
26 istratively determined to be liable under section 3685 of

1 this title unless such liability is not contested by such in-
2 stitution or has been upheld by a final decree of a court
3 of appropriate jurisdiction.

4 “(4) Any reporting fee paid to an educational institu-
5 tion or sponsor of a program of apprenticeship after the
6 date of the enactment of the Post-9/11 Veterans Edu-
7 cational Assistance Improvements Act of 2011 (Public
8 Law 111–377)—

9 “(A) shall be utilized by such institution or
10 sponsor solely for the making of certifications re-
11 quired under this chapter or chapter 31, 34, or 35
12 of this title or for otherwise supporting programs for
13 veterans; and

14 “(B) with respect to an institution that has 100
15 or more enrollees described in paragraph (2) may
16 not be used for or merged with amounts available
17 for the general fund of the educational institution or
18 sponsor of a program of apprenticeship.

19 “(5) The reporting fee payable under this subsection
20 shall be paid from amounts appropriated for readjustment
21 benefits.”.

22 (b) EFFECTIVE DATE.—The amendment made by
23 subsection (a) shall take effect on August 1, 2018.

1 **SEC. 305. TRAINING FOR SCHOOL CERTIFYING OFFICIALS.**

2 (a) TRAINING REQUIREMENT.—The Secretary of
3 Veterans Affairs shall, in consultation with the State ap-
4 proving agencies, set forth requirements relating to train-
5 ing for school certifying officials employed by covered edu-
6 cational institutions offering courses of education ap-
7 proved under chapter 36 of title 38, United States Code.
8 If a covered educational institution does not ensure that
9 a school certifying official employed by the educational in-
10 stitution meets such requirements, the Secretary may dis-
11 approve any course of education offered by such edu-
12 cational institution.

13 (b) DEFINITIONS.—In this section:

14 (1) The term “covered educational institution”
15 means an educational institution that has enrolled
16 20 or more individuals using educational assistance
17 under title 38, United States Code.

18 (2) The term “school certifying official” means
19 an employee of an educational institution with pri-
20 mary responsibility for certifying veteran enrollment
21 at the educational institution.

22 (3) The term “State approving agency” means
23 a department or agency of a State designated under
24 section 3671 of title 38, United States Code.

25 (c) EFFECTIVE DATE.—This section shall take effect
26 on August 1, 2018.

1 **SEC. 306. EXTENSION OF AUTHORITY FOR ADVISORY COM-**
2 **MITTEE ON EDUCATION.**

3 Section 3692 is amended by striking “December 31,
4 2017” and inserting “December 31, 2022”.

5 **SEC. 307. DEPARTMENT OF VETERANS AFFAIRS PROVISION**
6 **OF ON-CAMPUS EDUCATIONAL AND VOCA-**
7 **TIONAL COUNSELING FOR VETERANS.**

8 (a) IN GENERAL.—Chapter 36 is amended by insert-
9 ing after section 3697A the following new section:

10 **“§ 3697B. On-campus educational and vocational**
11 **counseling**

12 “(a) IN GENERAL.—The Secretary shall provide edu-
13 cational and vocational counseling services for individuals
14 described in section 3697A(b) of this title at locations on
15 the campuses of institutions of higher learning selected by
16 the Secretary. Such counseling services shall be provided
17 by employees of the Department who provide such services
18 under section 3697A of this title.

19 “(b) SELECTION OF LOCATIONS.—(1) To be selected
20 by the Secretary under this section, an institution of high-
21 er learning shall provide an appropriate space on the cam-
22 pus of the institution where counseling services can be pro-
23 vided under this section.

24 “(2) In selecting locations for the provision of coun-
25 seling services under this section, the Secretary shall seek

1 to select locations where the maximum number of veterans
2 would have access to such services.

3 “(c) ANNUAL REPORT.—Not later than 180 days
4 after the date of the enactment of this section, and each
5 year thereafter, the Secretary shall submit to Congress a
6 report on the counseling services provided under this sec-
7 tion. Such report shall include, for the year covered by
8 the report—

9 “(1) the average ratio of counselors providing
10 such services to individuals who received such serv-
11 ices at each location where such services were pro-
12 vided;

13 “(2) a description of such services provided;

14 “(3) the recommendations of the Secretary for
15 improving the provision of such services; and

16 “(4) any other matters the Secretary deter-
17 mines appropriate.”.

18 (b) CLERICAL AMENDMENT.—The table of sections
19 at the beginning of such chapter is amended by inserting
20 after the item relating to section 3697A the following new
21 item:

“3697B. On-campus educational and vocational counseling.”.

1 **SEC. 308. PROVISION OF INFORMATION REGARDING VET-**
2 **ERAN ENTITLEMENT TO EDUCATIONAL AS-**
3 **SISTANCE.**

4 (a) IN GENERAL.—Subchapter II of chapter 36 is
5 further amended by adding at the end the following new
6 section:

7 **“§ 3699A. Provision of certain information to edu-**
8 **catinal institutions**

9 “(a) IN GENERAL.—For each veteran or other indi-
10 vidual pursuing a course of education that has been ap-
11 proved under this chapter using educational assistance to
12 which the veteran or other individual is entitled under
13 chapter 30, 32, 33, or 35 of this title, the Secretary shall
14 make available to the educational institution offering the
15 course information about the amount of such educational
16 assistance to which the veteran or other individual is enti-
17 tled. Such information shall be provided to such edu-
18 catinal institution through a secure information tech-
19 nology system accessible by the educational institution and
20 shall be regularly updated to reflect any amounts used by
21 the veteran or other individual.

22 “(b) ELECTION.—A veteran or other individual pur-
23 suing a course of education described in subsection (a)
24 may elect not to provide the information described in such
25 subsection to an educational institution in a manner pre-
26 scribed by the Secretary.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of such chapter is further amended by
3 inserting after the item relating to section 3699 the fol-
4 lowing new item:

“3699A. Provision of certain information to educational institutions.”.

5 (c) EFFECTIVE DATE.—Section 3699A of title 38,
6 United States Code, as added by this section, shall take
7 effect on August 1, 2018.

8 **SEC. 309. TREATMENT, FOR PURPOSES OF EDUCATIONAL**
9 **ASSISTANCE ADMINISTERED BY THE SEC-**
10 **RETARY OF VETERANS AFFAIRS, OF EDU-**
11 **CATIONAL COURSES THAT BEGIN SEVEN OR**
12 **FEWER DAYS AFTER THE FIRST DAY OF AN**
13 **ACADEMIC TERM.**

14 Section 3684(a) is amended—

15 (1) by redesignating paragraph (4) as para-
16 graph (5); and

17 (2) by inserting after paragraph (3) the fol-
18 lowing new paragraph (4):

19 “(4) A course offered by an educational institution
20 that does not begin on the first day of an academic term,
21 but does begin seven or fewer days after such day, shall
22 be treated as beginning on such day for purposes of this
23 section.”.

1 **SEC. 310. INCLUSION OF RISK-BASED SURVEYS IN STATE**
2 **APPROVING AGENCY OVERSIGHT ACTIVITIES.**

3 Section 3673(d) is amended—

4 (1) in the subsection heading, by striking
5 “COMPLIANCE AND” ;

6 (2) by striking “such compliance and oversight”
7 and inserting “conducting risk-based surveys and
8 other such oversight”; and

9 (3) by inserting “, in consultation with the
10 State approving agencies,” after “as the Secretary”.

11 **SEC. 311. COMPTROLLER GENERAL STUDY OF STATE AP-**
12 **PROVING AGENCY PERFORMANCE.**

13 (a) STUDY REQUIRED.—The Comptroller General of
14 the United States shall carry out a study on the perform-
15 ance of State approving agencies. Such study shall include
16 each of the following:

17 (1) An analysis of the effectiveness of the co-
18 operation between the Secretary of Veterans Affairs
19 and State approving agencies regarding the execu-
20 tion of shared compliance and oversight responsibil-
21 ities under chapter 36 of title 38, United States
22 Code.

23 (2) An analysis of the resources necessary for
24 State approving agencies to fulfill the responsibilities
25 of such agencies under such title, including an anal-
26 ysis of whether Congress has appropriated sufficient

1 funds for State approving agencies to fulfill such re-
2 sponsibilities and the historic effect of funding on
3 the ability of such agencies to fulfill such respon-
4 sibilities.

5 (3) An evaluation of the use by State approving
6 agencies of risk-based methods of review for identi-
7 fying violations of established standards under such
8 chapter.

9 (4) An examination of how State approving
10 agencies use risk factors, including rapid increases
11 in veteran enrollment, increases in the amount of
12 benefits per capita, volume of student complaints,
13 rates of Federal student loan defaults of veterans,
14 veteran completion rates, deficiencies identified by
15 accreditors and other State agencies, and defi-
16 ciencies in Department of Veterans Affairs program
17 administration compliance, in their oversight and
18 compliance responsibilities and in selecting edu-
19 cational institutions for review of eligibility.

20 (5) Recommendations on how the Secretary and
21 State approving agencies can better use data to
22 evaluate, approve, or disapprove educational institu-
23 tions under such chapter.

24 (b) REPORT TO CONGRESS.—Not later than one year
25 after the date of the enactment of this Act, the Comp-

1 troller General shall submit to the Secretary of Veterans
2 Affairs, the Committee on Veterans' Affairs of the Senate,
3 and the Committee on Veterans' Affairs of the House of
4 Representatives, a report on the study required under sub-
5 section (a) and the findings and recommendations of the
6 Comptroller General with respect to such study.

7 **TITLE IV—RESERVE**
8 **COMPONENT BENEFITS**

9 **SEC. 401. ELIGIBILITY OF RESERVE COMPONENT MEMBERS**
10 **FOR POST-9/11 EDUCATIONAL ASSISTANCE.**

11 (a) IN GENERAL.—Section 3301(1)(B) is amended
12 by striking “or 12304” and inserting “12304, 12304a, or
13 12304b”.

14 (b) RETROACTIVE APPLICATION.—The amendment
15 made by subsection (a) shall apply with respect to service
16 in the Armed Forces occurring on or after the date of the
17 enactment of the Post-9/11 Veterans Educational Assist-
18 ance Act of 2008 (Public Law 110–252).

19 (c) APPLICATION WITH RESPECT TO USE OF ENTI-
20 TLEMENT.—An individual who is entitled to educational
21 assistance by reason of the amendment made by sub-
22 section (a) may use such entitlement to pursue a course
23 of education beginning on or after August 1, 2018.

1 **SEC. 402. TIME LIMITATION FOR TRAINING AND REHABILI-**
2 **TATION FOR VETERANS WITH SERVICE-CON-**
3 **NECTED DISABILITIES.**

4 Section 3103(f) is amended by striking “or 12304”
5 and inserting “12304, 12304a, or 12304b”.

6 **TITLE V—OTHER MATTERS**

7 **SEC. 501. REPEAL INAPPLICABILITY OF MODIFICATION OF**
8 **BASIC ALLOWANCE FOR HOUSING TO BENE-**
9 **FITS UNDER LAWS ADMINISTERED BY SEC-**
10 **RETARY OF VETERANS AFFAIRS.**

11 (a) REPEAL.—Subsection (b) of section 604 of the
12 Carl Levin and Howard P. “Buck” McKeon National De-
13 fense Authorization Act for Fiscal Year 2015 (Public Law
14 113-291; 37 U.S.C. 403 note) is repealed.

15 (b) EFFECTIVE DATE.—The amendment made by
16 subsection (a) shall take effect on January 1, 2018, and
17 shall apply with respect to individuals who first use their
18 entitlement to educational assistance under chapter 33 of
19 title 38, United States Code, on or after such date.

20 **SEC. 502. RECONSIDERATION OF PREVIOUSLY DENIED**
21 **CLAIMS FOR DISABILITY COMPENSATION**
22 **FOR VETERANS WHO ALLEGE FULL-BODY EX-**
23 **POSURE TO NITROGEN MUSTARD GAS, SUL-**
24 **FUR MUSTARD GAS, OR LEWISITE DURING**
25 **WORLD WAR II.**

26 (a) IN GENERAL.—

1 (1) RECONSIDERATION REQUIRED.—The Sec-
2 retary of Veterans Affairs shall reconsider all claims
3 for compensation described in paragraph (2) and
4 make a new determination regarding each such
5 claim.

6 (2) CLAIMS FOR COMPENSATION DESCRIBED.—
7 A claim for compensation described in this para-
8 graph is a claim for compensation under chapter 11
9 of title 38, United States Code, that the Secretary
10 determines—

11 (A) arose from the alleged full-body expo-
12 sure of a veteran to a covered substance—

13 (I) during active military, naval, or
14 air service during World War II; and

15 (ii) at a site listed in paragraph (3);

16 and

17 (B) was denied before the date of the en-
18 actment of this Act.

19 (3) SITES.—The sites listed in this paragraph
20 are the following:

21 (A) Camp Siebert, Alabama.

22 (B) Fort McClellan, Alabama.

23 (C) Huntsville Arsenal, Alabama.

24 (D) Rocky Mountain Arsenal, Colorado.

25 (E) Naval Research Laboratory, D.C.

1 (F) Bushnell Field, Florida.

2 (G) Great Lakes Naval Training Center,
3 Illinois.

4 (H) Edgewood Arsenal, Maryland.

5 (I) Fort Detrick, Maryland.

6 (J) Naval Research Laboratory, Maryland.

7 (K) Naval Training Center, Bainbridge,
8 Maryland.

9 (L) Horn Island Installation, Mississippi.

10 (M) Camp Crowder, Missouri.

11 (N) Hart's Island, New York.

12 (O) Camp Lejeune, North Carolina.

13 (P) Charleston, South Carolina.

14 (Q) Dugway Proving Ground, Utah.

15 (R) Toole Army Depot, Utah.

16 (S) Naval Research Laboratory, Virginia.

17 (T) U.S.S. Eagle Boat No. 58.

18 (U) Ondal, India.

19 (V) Fort Clayton, San Jose Island, Pan-
20 ama.

21 (W) Any site the Secretary of Veterans Af-
22 fairs determines is appropriate.

23 (4) FACTORS OF CONSIDERATION.—In making
24 a determination under paragraph (1), the Sec-
25 retary—

1 (A) shall consider—

2 (i) that contemporaneous records of
3 testing of full-body exposure to a covered
4 substance frequently may be unavailable
5 because such tests were classified or such
6 records were lost or destroyed;

7 (ii) that many veterans were sworn to
8 secrecy following testing described in
9 clause (i);

10 (iii) each statement based on personal
11 knowledge of a veteran who served at a
12 site listed in paragraph (3);

13 (iv) information in the report from the
14 Secretary of Defense under subsection
15 (b)(2); and

16 (v) any evidence the Secretary con-
17 siders relevant; and

18 (B) may not determine that testing of full-
19 body exposure to a covered substance did not
20 occur at a site based solely on—

21 (i) information contained in the De-
22 partment of Defense and Department of
23 Veterans Affairs Chemical Biological War-
24 fare Database; or

1 (ii) any list of known sites of testing
2 of full-body exposure to a covered sub-
3 stance maintained by the Department of
4 Veterans Affairs or the Department of De-
5 fense.

6 (5) PRESUMPTION OF EXPOSURE.—In carrying
7 out paragraph (1), when the Secretary of Veterans
8 Affairs makes a determination regarding whether a
9 veteran experienced full-body exposure to a covered
10 substance, the Secretary—

11 (A) shall presume, unless there is affirma-
12 tive evidence to establish otherwise, that the
13 veteran experienced such exposure by reason of
14 the service of the veteran in World War II—

15 (i) based on the locations listed in
16 paragraph (3); and

17 (ii) consistent with the places, types,
18 and circumstances of service of the veteran
19 in accordance with section 1154 of title 38;
20 and

21 (B) shall resolve each reasonable doubt in
22 favor of the veteran.

23 (6) EFFECTIVE DATE OF AWARD.—The effec-
24 tive date of any award of disability compensation re-
25 sulting from reconsideration of a claim under para-

1 graph (1) shall be fixed in accordance with the facts
2 found, but shall not be earlier than the date of the
3 receipt of the claim for compensation described in
4 paragraph (2).

5 (b) INVESTIGATION AND REPORT BY THE SEC-
6 RETARY OF DEFENSE.—Not later than 180 days after the
7 date of the enactment of this Act, the Secretary of Defense
8 shall—

9 (1) investigate and assess each site—

10 (A) where the Army Corps of Engineers
11 has uncovered evidence of testing conducted by
12 the Department of Defense during World War
13 II to assess the effects of full-body exposure to
14 a covered substance on humans; or

15 (B) with regards to which more than two
16 veterans have been denied claims for compensa-
17 tion under chapter 11 of title 38, United States
18 Code, in connection with exposure to a covered
19 substance at such site; and

20 (2) submit to the appropriate congressional
21 committees and the Secretary of Veterans Affairs a
22 report on testing described in paragraph (1)(A), in-
23 cluding—

1 (A) a list of each location where such test-
2 ing occurred, including locations investigated
3 and assessed under paragraph (1);

4 (B) the dates of each such testing; and

5 (C) the number of members of the Armed
6 Forces who experienced full-body exposure to a
7 covered substance in each such testing.

8 (c) INVESTIGATION AND REPORT BY SECRETARY OF
9 VETERANS AFFAIRS.—Not later than 180 days after the
10 date of the enactment of this Act, the Secretary of Vet-
11 erans Affairs shall—

12 (1) investigate and assess—

13 (A) the actions taken by the Secretary to
14 contact individuals who experienced full-body
15 exposure to a covered substance in the course
16 of testing described in subsection (b)(1)(A);

17 (B) the number of claims filed with the
18 Secretary for disability compensation under
19 chapter 11 of title 38, United States Code, aris-
20 ing from testing described in subsection
21 (b)(1)(A); and

22 (C) the percentage of claims described in
23 subparagraph (B) that the Secretary denied.

24 (2) submit to the appropriate congressional
25 committees and the Secretary of Defense a report

1 regarding the investigations and assessments carried
2 out under paragraph (1).

3 (d) DEFINITIONS.—In this section:

4 (1) The terms “active military, naval, or air
5 service”, “veteran”, and “World War II” have the
6 meanings given such terms in section 101 of title 38,
7 United States Code.

8 (2) The term “appropriate congressional com-
9 mittees” means—

10 (A) the Committees on Armed Services of
11 the House of Representatives and the Senate;
12 and

13 (B) the Committees on Veterans’ Affairs of
14 the House of Representatives and the Senate.

15 (3) The term “covered substance” means—

16 (A) nitrogen mustard gas;

17 (B) sulfur mustard gas; or

18 (C) Lewisite.

19 (4) The term “full-body exposure”, with respect
20 to a covered substance, has the meaning given that
21 term by the Secretary of Defense.