Suspend the Rules and Pass the Bill, H.R. 7105, with Amendments
(The amendments strike all after the enacting clause and insert a new text and a new title)

116TH CONGRESS
2D SESSION
H. R. 7105

To provide flexibility for the Secretary of Veterans Affairs in caring for homeless veterans during a covered public health emergency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2020

Mr. Levin of California (for himself, Mr. Bilirakis, Mr. Takano, Mr. David P. Roe of Tennessee, Mr. Pappas, Mr. Banks, Mr. Bost, Mr. Bergman, Mr. Cisneros, and Ms. Brownley of California) introduced the following bill; which was referred to the Committee on Veterans’ Affairs, and in addition to the Committee on the Budget, 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 provide flexibility for the Secretary of Veterans Affairs in caring for homeless veterans during a covered public health emergency, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Dependable Employment and Living Improvements for Veterans Economic Recovery Act” or the “DELIVER Act”.

(b) Table of Contents.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—ASSISTANCE FOR HOMELESS VETERANS

Sec. 101. Flexibility for the Secretary of Veterans Affairs in caring for homeless veterans during a covered public health emergency.
Sec. 102. Expansion of eligibility for HUD–VASH.
Sec. 103. Legal services for homeless veterans and veterans at risk for homelessness.
Sec. 104. Gap analysis of Department of Veterans Affairs Programs that provide assistance to women veterans who are homeless.
Sec. 105. Improvements to grants and agreements between the Secretary of Veterans Affairs and entities that provide services to homeless veterans.
Sec. 106. Repeal of sunset on authority to carry out program of referral and counseling services for veterans at risk for homelessness who are transitioning from certain institutions.
Sec. 107. Coordination of case management services for veterans receiving housing vouchers under Tribal HUD-VASH program.
Sec. 108. Contracting for HUD-VASH case managers.
Sec. 109. Report on HUD-VASH staffing, training, and data systems.

TITLE II—RETRAINING ASSISTANCE FOR VETERANS

Sec. 201. COVID–19 Veteran Rapid Retraining Assistance Program.
Sec. 203. Expansion of eligible class of providers of high technology programs of education for veterans.
Sec. 204. Pilot program for off-base transition training for veterans and spouses.
Sec. 205. Grants for provision of transition assistance to members of the Armed Forces after separation, retirement, or discharge.
Sec. 206. One-year independent assessment of the effectiveness of Transition Assistance Program.
Sec. 207. Longitudinal study on changes to TAP.
Sec. 208. Department of Veterans Affairs loan fees.
TITLE I—ASSISTANCE FOR
HOMELESS VETERANS

SEC. 101. FLEXIBILITY FOR THE SECRETARY OF VETERANS
AFFAIRS IN CARING FOR HOMELESS VETERANS DURING A COVERED PUBLIC HEALTH
EMERGENCY.

(a) General Support.—

(1) Use of Funds.—During a covered public health emergency, the Secretary of Veterans Affairs may use amounts appropriated or otherwise made available to the Department of Veterans Affairs to carry out sections 2011, 2012, 2031, and 2061 of title 38, United States Code, to provide to homeless veterans and veterans participating in the program carried out under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) (commonly referred to as “HUD–VASH”), as the Secretary determines is needed, the following:

(A) Assistance required for safety and survival (such as food, shelter, clothing, blankets, and hygiene items).

(B) Transportation required to support stability and health (such as for appointments
with service providers, conducting housing
searches, and obtaining food and supplies).

(C) Communications equipment and serv-
ices (such as tablets, smartphones, disposable
phones, and related service plans) required to
support stability and health (such as maintain-
ing contact with service providers, prospective
landlords, and family).

(D) Such other assistance as the Secretary
determines is needed.

(2) HOMELESS VETERANS ON LAND OF THE
DEPARTMENT.—

(A) COLLABORATION.—During a covered
public health emergency, to the extent possible,
the Secretary may collaborate with one or more
organizations to manage use of land of the De-
partment for homeless veterans for living and
sleeping.

(B) ELEMENTS.—Collaboration under sub-
paragraph (A) may include the provision by ei-
ther the Secretary or the organization of food
services and security for property, buildings,
and other facilities owned or controlled by the
Department.

(b) GRANT AND PER DIEM PROGRAM.—
(1) LIMITS ON RATES FOR PER DIEM PAYMENTS.—Section 20013(b) of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136) is amended—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(B) in the matter preceding subparagraph (A), as so redesignated, by inserting “(1)” before “In the case”; and

(C) by adding at the end the following:

“(2) If the Secretary waives any limit on grant amounts or rates for per diem payments under paragraph (1), notwithstanding section 2012(a)(2)(B) of such title, the maximum rate for per diem payments described in paragraph (1)(B) shall be three times the rate authorized for State homes for domiciliary care under section 1741 of such title.”.

(2) USE OF PER DIEM PAYMENTS.—During a covered public health emergency, a recipient of a grant or an eligible entity under the grant and per diem program of the Department (in this subsection referred to as the “program”) may use per diem payments under sections 2012 and 2061 of title 38, United States Code, to provide assistance required
for safety and survival (such as food, shelter, clothing, blankets, and hygiene items) for—

(A) homeless veterans; and

(B) formerly homeless veterans residing in a facility operated wholly or in part by such a recipient or eligible entity receiving per diem payments under section 2012 of such title.

(3) ADDITIONAL TRANSITIONAL HOUSING.—

(A) IN GENERAL.—During a covered public health emergency, under the program, the Secretary may provide amounts for additional transitional housing beds to facilitate access to housing and services provided to homeless veterans.

(B) NOTICE; COMPETITION; PERIOD OF PERFORMANCE.—The Secretary may provide amounts under subparagraph (A)—

(i) without notice or competition; and

(ii) for a period of performance determined by the Secretary.

(4) INSPECTIONS AND LIFE SAFETY CODE REQUIREMENTS.—

(A) IN GENERAL.—During a covered public health emergency, the Secretary may waive any requirement under subsection (b) or (c) of
section 2012 of title 38, United States Code, in order to allow the recipient of a grant or an eligible entity under the program—

(i) to quickly identify temporary alternate sites of care for homeless veterans that are suitable for habitation;

(ii) to facilitate social distancing or isolation needs; or

(iii) to facilitate activation or continuation of a program for which a grant has been awarded.

(B) LIMITATION.—The Secretary may waive a requirement pursuant to the authority provided by subparagraph (A) with respect to a facility of a recipient of a grant or an eligible entity under the program only if the facility meets applicable local safety requirements, including fire safety requirements.

(c) INSPECTION AND LIFE SAFETY CODE REQUIREMENTS FOR THERAPEUTIC HOUSING.—

(1) IN GENERAL.—During a covered public health emergency, the Secretary may waive any inspection or life safety code requirement under subsection (c) of section 2032 of title 38, United States Code—
(A) to allow quick identification of temporary alternate sites of care for homeless veterans that are suitable for habitation;

(B) to facilitate social distancing or isolation needs; or

(C) to facilitate the operation of housing under such section.

(2) LIMITATION.—The Secretary may waive a requirement pursuant to the authority provided by paragraph (1) with respect to a residence or facility referred to in such section 2032 only if the residence or facility, as the case may be, meets applicable local safety requirements, including fire safety requirements.

(d) ACCESS TO DEPARTMENT OF VETERANS AFFAIRS TELEHEALTH SERVICES.—To the extent practicable, during a covered public health emergency, the Secretary shall ensure that veterans participating in or receiving services from a program under chapter 20 of title 38, United States Code, have access to telehealth services to which such veterans are eligible under the laws administered by the Secretary, including by ensuring that telehealth capabilities are available to—

(1) such veterans;
(2) case managers of the Department of programs for homeless veterans authorized under such chapter; and

(3) community-based service providers for homeless veterans receiving funds from the Department through grants or contracts.

(e) DEFINITIONS.—In this section:

(1) COVERED PUBLIC HEALTH EMERGENCY.—The term “covered public health emergency” means an emergency with respect to COVID–19 declared by a Federal, State, or local authority.

(2) HOMELESS VETERAN; VETERAN.—The terms “homeless veteran” and “veteran” have the meanings given those terms in section 2002 of title 38, United States Code.

(3) TELEHEALTH.—

(A) IN GENERAL.—The term “telehealth” means the use of electronic information and telecommunications technologies to support and promote long-distance clinical health care, patient and professional health-related education, public health, and health administration.

(B) TECHNOLOGIES.—For purposes of subparagraph (A), “telecommunications technologies” include video conferencing, the inter-
net, streaming media, and terrestrial and wireless communications.

(f) EMERGENCY DESIGNATIONS.—

(1) IN GENERAL.—This section is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(2) DESIGNATION IN SENATE.—In the Senate, this section is designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

SEC. 102. EXPANSION OF ELIGIBILITY FOR HUD–VASH.

(a) HUD PROVISIONS.—Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the end the following new subparagraph:

“(D) VETERAN DEFINED.—In this paragraph, the term ‘veteran’ has the meaning given that term in section 2002(b) of title 38, United States Code.”.

(b) VHA CASE MANAGERS.—Subsection (b) of section 2003 of title 38, United States Code, is amended by adding at the end the following: “In the case of vouchers provided under the HUD–VASH program under section
8(o)(19) of such Act, for purposes of the preceding sentence, the term ‘veteran’ shall have the meaning given such term in section 2002(b) of this title.”.

(c) ANNUAL REPORT.—

(1) IN GENERAL.—Not less frequently than once each year, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the homelessness services provided under programs of the Department of Veterans Affairs, including services under the program carried out under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) (commonly referred to as “HUD-VASH”).

(2) INCLUDED INFORMATION.—Each such annual report shall include, with respect to the year preceding the submittal of the report—

(A) a statement of the number of eligible individuals who were furnished such homelessness services;

(B) the number of individuals furnished such services under each such program, disaggregated by the number of men who re-
ceived such services and the number of women
who received such services; and

(C) such other information the Secretary
determines appropriate.

SEC. 103. LEGAL SERVICES FOR HOMELESS VETERANS AND
VETERANS AT RISK FOR HOMELESSNESS.

(a) In general.—Chapter 20 of title 38, United
States Code, is amended by inserting after section 2022
the following new section:

“§ 2022A. Legal services for homeless veterans and
veterans at risk for homelessness

“(a) Grants.—Subject to the availability of appro-
priations provided for such purpose, the Secretary of Vet-
erans Affairs shall make grants to eligible entities that
provide legal services to homeless veterans and veterans
at risk for homelessness.

“(b) Criteria.—(1) The Secretary shall—

“(A) establish criteria and requirements for
grants under this section, including criteria for enti-
ties eligible to receive such grants; and

“(B) publish such criteria and requirements in
the Federal Register.

“(2) In establishing criteria and requirements under
paragraph (1), the Secretary shall—
“(A) take into consideration any criteria and requirements needed with respect to carrying out this section in rural communities, Tribal lands, and the territories and possessions of the United States; and

“(B) consult with organizations that have experience in providing services to homeless veterans, including veterans service organizations, the Equal Justice Works AmeriCorps Veterans Legal Corps, and other organizations the Secretary determines appropriate.

“(c) ELIGIBLE ENTITIES.—The Secretary may make a grant under this section to an entity applying for such a grant only if the applicant for the grant—

“(1) is a public or nonprofit private entity with the capacity (as determined by the Secretary) to effectively administer a grant under this section;

“(2) demonstrates that adequate financial support will be available to carry out the services for which the grant is sought consistent with the application;

“(3) agrees to meet the applicable criteria and requirements established under subsection (b)(1); and
“(4) has, as determined by the Secretary, demonstrated the capacity to meet such criteria and requirements.

“(d) USE OF FUNDS.—Grants under this section shall be used to provide homeless veterans and veterans at risk for homelessness the following legal services:

“(1) Legal services related to housing, including eviction defense, representation in landlord-tenant cases, and representation in foreclosure cases.

“(2) Legal services related to family law, including assistance in court proceedings for child support, divorce, estate planning, and family reconciliation.

“(3) Legal services related to income support, including assistance in obtaining public benefits.

“(4) Legal services related to criminal defense, including defense in matters symptomatic of homelessness, such as outstanding warrants, fines, and driver’s license revocation, to reduce recidivism and facilitate the overcoming of reentry obstacles in employment or housing.

“(5) Legal services related to requests to upgrade the characterization of a discharge or dismissal of a former member of the Armed Forces under section 1553 of title 10.
“(6) Such other legal services as the Secretary
determines appropriate.

“(e) FUNDS FOR WOMEN VETERANS.—For any fiscal
year, not less than 10 percent of the amount authorized
to be appropriated for grants under this section shall be
used to provide legal services described in subsection (d)
to women veterans.

“(f) LOCATIONS.—To the extent practicable, the Sec-
retary shall make grants under this section to eligible enti-
ties in a manner that is equitably distributed across the
geographic regions of the United States, including with
respect to—

“(1) rural communities;

“(2) Tribal lands;

“(3) Native Americans; and

“(4) Tribal organizations.

“(g) REPORTS.—On a biennial basis, the Secretary
shall submit to the Committees on Veterans’ Affairs of
the House of Representatives and the Senate a report on
grants under this section. To the extent feasible, each such
report shall include the following with respect to the year
covered by the report:

“(1) The number of homeless veterans and vet-
erans at risk for homelessness assisted.
“(2) A description of the legal services provided.

“(3) A description of the legal matters addressed.

“(4) An analysis by the Secretary with respect to the operational effectiveness and cost-effectiveness of the services provided.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2022 the following new item:

“2022A. Legal services for homeless veterans and veterans at risk for homelessness.”.

(c) CRITERIA.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish the criteria and requirements in the Federal Register pursuant to subsection (b)(1) of section 2022A of title 38, United States Code, as added by subsection (a).

SEC. 104. GAP ANALYSIS OF DEPARTMENT OF VETERANS AFFAIRS PROGRAMS THAT PROVIDE ASSISTANCE TO WOMEN VETERANS WHO ARE HOMELESS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall complete an analysis of programs of the Department of Veterans Affairs that provide assistance to women veter-
erans who are homeless or precariously housed to identify
the areas in which such programs are failing to meet the
needs of such women.

(b) REPORT.—Not later than 270 days after the date
of the enactment of this Act, the Secretary shall submit
to the Committee on Veterans’ Affairs of the Senate and
the Committee on Veterans’ Affairs of the House of Rep-
resentatives a report on the analysis completed under sub-
section (a).

SEC. 105. IMPROVEMENTS TO GRANTS AND AGREEMENTS
BETWEEN THE SECRETARY OF VETERANS AF-
FAIRS AND ENTITIES THAT PROVIDE SERV-
ICES TO HOMELESS VETERANS.

(a) INCREASE IN PER DIEM PAYMENTS.—Subsection
(a)(2)(B) of section 2012 of title 38, United States Code,
is amended—

(1) by striking clause (i) and inserting the fol-
lowing:

“(i) Except as provided in clause (ii) or (iii) and sub-
ject to the availability of appropriations, the Secretary
shall determine the rate under this paragraph, which—

“(I) may not—

“(aa) be lower than the amount in effect
under this clause as in effect immediately pre-
ceding the enactment of the Dependable Em-
ployment and Living Improvements for Veterans Economic Recovery Act; or

“(bb) exceed the amount that is 115 percent of the rate authorized for State homes for domiciliary care under subsection (a)(1)(A) of section 1741 of this title, as the Secretary may increase from time to time under subsection (c) of that section; and

“(II) may be determined on the basis of locality.”; and

(2) by adding at the end the following new clause:

“(iii) With respect to a homeless veteran who has care of a minor dependent while receiving services from the grant recipient or eligible entity, the daily cost of care shall be the sum of the daily cost of care determined under subparagraph (A) plus, for each such minor dependent, an amount that equals 50 percent of such daily cost of care.”.

(b) Reimbursement of Certain Fees.—Such section is further amended by adding at the end the following new subsection:

“(e) Reimbursement of Entities for Certain Fees.—The Secretary may reimburse the recipient of a grant under section 2011, 2012, 2013, or 2061 of this
title for fees charged to that grant recipient for the use of the homeless management information system described in section 402 of the McKinney-Vento Homeless Assistance Act (Public Law 100–77; 42 U.S.C. 11630a)—

“(1) in amounts the Secretary determines to be reasonable; and

“(2) if the Secretary determines that the grant recipient is unable to obtain information contained in such system through other means and at no cost to the grant recipient.”.

SEC. 106. REPEAL OF SUNSET ON AUTHORITY TO CARRY OUT PROGRAM OF REFERRAL AND COUNSELING SERVICES FOR VETERANS AT RISK FOR HOMELESSNESS WHO ARE TRANSITIONING FROM CERTAIN INSTITUTIONS.

Section 2023 of title 38, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).
SECTION 107. COORDINATION OF CASE MANAGEMENT SERVICES FOR VETERANS RECEIVING HOUSING VOUCHERS UNDER TRIBAL HUD-VASH PROGRAM.

Section 2003 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(c) MOU ON IHS ASSISTANCE.—The Secretary may enter into a memorandum of understanding with the Secretary of Health and Human Services under which case managers of the Indian Health Service may provide case management assistance to veterans who receive housing vouchers under the Tribal HUD-VASH program of the Department of Housing and Urban Development.”.

SEC. 108. CONTRACTING FOR HUD-VASH CASE MANAGERS.

(a) IN GENERAL.—Section 304 of the Honoring America’s Veterans and Caring for Camp Lejeune Families Act of 2012 (Public Law 112–154; 38 U.S.C. 2041 note) is amended—

(1) in subsection (a)—

(A) by inserting “(1)” before “The Secretary”;

(B) by adding at the end the following new paragraphs:
“(2)(A) Subject to subparagraphs (B) and (C), the director of a covered medical center shall seek to enter into a contract or agreement described in paragraph (1).

“(B) A contract or agreement under subparagraph (A) may require that a case manager employed by an eligible entity have credentials equivalent to those of a case manager of the Department.

“(C) The Secretary may waive the requirement under subparagraph (A) if the Secretary determines that fulfilling such requirement is infeasible. If the Secretary grants such a waiver, the Secretary shall submit, not later than 90 days after granting such waiver, to the Committees on Veterans’ Affairs of the Senate and House of Representatives, a report containing—

“(i) an explanation of that determination;

“(ii) a plan to increase the number of case managers of the Department; and

“(iii) a plan for the covered medical center to increase use of such vouchers.

“(D) In this paragraph, the term ‘covered medical center’ means a medical center of the Department that the Secretary determines—

“(i) had more than 15 percent of all vouchers allocated to that medical center under the program described in paragraph (1) through the fiscal year
preceding such determination go unused due to a
lack of case management services provided by the
Secretary; and

“(ii) has a case manager position that has been
vacant for at least nine consecutive months imme-
diately preceding the date of such determination.”;
and

(2) in subsection (b)(2)—

(A) in the matter before subparagraph (A),
by striking “, including because—” and insert-
ing a period; and

(B) by striking subparagraphs (A), (B),
and (C).

(b) EFFECTIVE DATE.—The amendments made by
this section shall take effect on the first day of the first
fiscal year to begin on or after the date of the enactment
of this Act.

SEC. 109. REPORT ON HUD-VASH STAFFING, TRAINING, AND
DATA SYSTEMS.

Not later than 180 days after the date of the enact-
ment of this Act, and every three years thereafter, the Sec-
retary of Veterans Affairs shall submit to the Committees
on Veterans’ Affairs of the House of Representatives and
the Senate a report that includes the following:
(1) An assessment of the hiring needs of the program carried out under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) (commonly referred to as “HUD-VASH”), including—

(A) identification of the number of HUD-VASH case managers as of the date of the report including—

(i) the total number of vacancies; and

(ii) the vacancies at each medical center of the Department of Veterans Affairs;

(B) the number of HUD-VASH case managers that the Secretaries of Veterans Affairs and Housing and Urban Development determine necessary to meet the needs of the Department and program; and

(C) the amount of turnover among HUD-VASH case managers and whether the turnover was planned or unexpected.

(2) An assessment of how compensation, including recruitment and retention incentives, for HUD-VASH case managers affects turnover, and what percentage of retention compensation is provided to case managers at each medical center of the Depart-
ment of Veterans Affairs (compared to other positions).

(3) A comparison of compensation described in paragraph (2) with the compensation provided to State, local, and nongovernmental housing employees at comparable training and experience levels.

(4) Examples of how the Departments have worked with non-Federal partners (such as local governments, nongovernmental organizations, veterans service organizations, and employee unions) to meet the staffing needs of the HUD-VASH program.

(5) Examples of how medical centers of the Department of Veterans Affairs with high retention rates for HUD-VASH case managers have been able to maintain their staffing levels.

TITLE II—RETRAINING ASSISTANCE FOR VETERANS

SEC. 201. COVID–19 VETERAN RAPID RETRAINING ASSISTANCE PROGRAM.

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

(b) **Eligible Veterans.**—

(1) **In general.**—For purposes of this section, the term “eligible veteran” means a veteran who—

(A) as of the date of the receipt by the Department of Veterans Affairs of the application for assistance under this section, is at least 22 years of age but not more than 66 years of age;

(B) as of such date, is unemployed by reason of the covered public health emergency, as certified by the veteran;

(C) as of such date, is not eligible to receive educational assistance under chapter 30, 31, 32, 33, or 35 of title 38, United States Code, or chapter 1606 of title 10, United States Code;

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

(E) is not in receipt of compensation for a service-connected disability rated totally disabling by reason of unemployability; and

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

(2) Treatment of veterans who transfer entitlement.—For purposes of paragraph (1)(C), a veteran who has transferred all of the veteran’s entitlement to educational assistance under section 3319 of title 38, United States Code, shall be considered to be a veteran who is not eligible to receive educational assistance under chapter 33 of such title.

(3) Failure to complete.—A veteran who receives retraining assistance under this section to pursue a program of education and who fails to complete the program of education shall not be eligible to receive additional assistance under this section.

(c) Covered Programs of Education.—

(1) In general.—For purposes of this section, a covered program of education is a program of education (as such term is defined in section 3452(b) of title 38, United States Code) for training, pursued on a full-time or part-time basis—

(A) that—
(i) is approved under chapter 36 of such title;

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

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

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

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

(3) DETERMINATION OF HIGH-DEMAND OCCUPATIONS.—

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

(B) STUDY REQUIRED.—The Secretary of Veterans Affairs shall enter into an agreement with a federally funded research and development corporation or another appropriate non-Department entity for the conduct of a study to determine which occupations are high-demand occupations. Such study shall be completed not later than 90 days after the date of the enactment of this Act.

(C) FINAL LIST.—The Secretary—

(i) may add or remove occupation from the list in use pursuant to subparagraph (A) during the 90-day period following the completion of the study required by subparagraph (B);

(ii) shall issue a final list of high-demand occupations for use under this section by not later than 90 days after the date of the completion of the study; and

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

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

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

(d) AMOUNT OF ASSISTANCE.—

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

(A) 50 percent of the total amount payable
shall be paid when the eligible veteran begins
the program of education.
(B) 25 percent of the total amount payable shall be paid when the eligible veteran completes the program of education.

(C) 25 percent of the total amount payable shall be paid when the eligible veteran finds employment in a field related to the program of education.

(2) FAILURE TO COMPLETE.—

(A) PRO-RATED PAYMENTS.—In the case of a veteran who pursues a covered program of education under the retraining assistance program under this section, but who does not complete the program of education, the Secretary shall pay to the educational institution offering such program of education a pro-rated amount based on the number of months the veteran pursued the program of education in accordance with this paragraph.

(B) PAYMENT OTHERWISE DUE UPON COMPLETION OF PROGRAM.—The Secretary shall pay to the educational institution a pro-rated amount under paragraph (1)(B) when the veteran provides notice to the educational institution that the veteran no longer intends to pursue the program of education.
(C) NONRECOVERY FROM VETERAN.—In the case of a veteran referred to in subparagraph (A), the educational institution may not seek payment from the veteran for any amount that would have been payable under paragraph (1)(B) had the veteran completed the program of education.

(D) PAYMENT DUE UPON EMPLOYMENT.—

   (i) VETERANS WHO FIND EMPLOYMENT.—In the case of a veteran referred to in subparagraph (A) who finds employment in a field related to the program of education during the 180-day period beginning on the date on which the veteran withdraws from the program of education, the Secretary shall pay to the educational institution a pro-rated amount under paragraph (1)(C) when the veteran finds such employment.

   (ii) VETERANS WHO DO NOT FIND EMPLOYMENT.—In the case of a veteran referred to in subparagraph (A) who does not find employment in a field related to the program of education during the 180-day period beginning on the date on which
the veteran withdraws from the program of education—

(I) the Secretary shall not make a payment to the educational institution under paragraph (1)(C); and

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

(3) **Housing Stipend.**—For each month that an eligible veteran pursues a covered program of education under the retraining assistance program under this section, the Secretary shall pay to the veteran a monthly housing stipend in an amount equal to—

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

(B) in the case of a covered program of education other than a program of education leading to a degree at an institution other than an institution of higher learning pursued on more than a half-time basis, the amount specified under subsection (g)(3)(A)(ii) of such section; or

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

(4) FAILURE TO FIND EMPLOYMENT.—The Secretary shall not make a payment under paragraph (1)(C) with respect to an eligible veteran who completes or fails to complete a program of education under the retraining assistance program under this section if the veteran fails to find employment in a field related to the program of education within the 180-period beginning on the date on which the veteran withdraws from or completes the program.
(e) No Transferability.—Retraining assistance provided under this section may not be transferred to another individual.

(f) Employment Assistance.—

(1) In general.—The Secretary of Labor shall contact each veteran who pursues a covered program of education under this section—

(A) not later than 30 days after the date on which the veteran begins the program of education to notify the veteran of the availability of employment placement services upon completion of the program; and

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

(2) Provision of information.—The Secretary of Veterans Affairs shall provide to the Secretary of Labor such information as may be necessary to carry out paragraph (1).

(g) Nonprofit Organization.—

(1) In general.—The Secretary of Veterans Affairs shall seek to enter into a memorandum of understanding with one or more qualified nonprofit
organizations for the purpose of facilitating the employment of veterans who participate in the retraining assistance program under this section.

(2) QUALIFIED NONPROFIT ORGANIZATION.—For purposes of this subsection, a qualified nonprofit organization is a nonprofit organization that—

(A) is an association of businesses; and

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

(h) FOLLOW UP OUTREACH.—The Secretary of Veterans Affairs, in coordination with the Secretary of Labor shall contact each veteran who completes a covered program of education under the retraining assistance program under this section 30, 60, 90, and 180 days after the veteran completes such program of education to ask the veteran about the experience of the veteran in the retraining assistance program and the veteran’s employment status.

(i) QUARTERLY REPORTS.—Not later than the date that is one year after the date of the enactment of this Act, and quarterly thereafter, the Secretary of Labor shall submit to the Committees on Veterans’ Affairs of the Senate and House of Representatives a report containing the
following information about veterans who participate in
the retraining assistance program under this section:

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

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

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

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

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

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

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

(m) DEFINITIONS.—In this section:
(1) The term “covered public health emergency” means the declaration—

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

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

(2) The term “veteran” means—

(A) a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable; or

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

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

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

(2) ADMINISTRATIVE COSTS.—There is authorized to be appropriated $15,000,000 to carry out administrative functions of this section.

(o) INITIATION OF PAYMENTS.—The Secretary may begin providing retraining assistance under this section on the date that is 180 days after the date of the enactment of this Act.

SEC. 202. ACCESS FOR THE SECRETARIES OF LABOR AND VETERANS AFFAIRS TO THE FEDERAL DIRECTORY OF NEW HIRES.

Section 453A(h) of the Social Security Act (42 U.S.C. 653a(h)) is amended by adding at the end the following new paragraph:

“(4) VETERAN EMPLOYMENT.—The Secretaries of Labor and of Veterans Affairs shall have access to information reported by employers pursuant to subsection (b) of this section for purposes of tracking employment of veterans.”.
SEC. 203. EXPANSION OF ELIGIBLE CLASS OF PROVIDERS

OF HIGH TECHNOLOGY PROGRAMS OF EDUCATION FOR VETERANS.

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

(1) in subsection (b), by adding at the end the following: “The Secretary shall treat an individual as an eligible veteran if the Secretary determines that the individual shall become an eligible veteran fewer than 180 days after the date of such determination. If an individual treated as an eligible veteran by reason of the preceding sentence does anything to make the veteran ineligible during the 180-day period referred to in such sentence, the Secretary may require the veteran to repay any benefits received by such veteran by reason of such sentence.”;

(2) in subsection (c)—

(A) in paragraph (3)(A), by striking “has been operational for at least 2 years” and inserting “employs instructors whom the Secretary determines are experts in their respective fields in accordance with paragraph (6)”;

(B) by adding at the end the following new paragraph:
“(6) EXPERTS.—The Secretary shall determine whether instructors are experts under paragraph (3)(A) based on evidence furnished to the Secretary by the provider regarding the ability of the instructors to—

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

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

“(C) provide relevant industry experience in the fields of programs offered to incoming eligible veterans; and

“(D) demonstrate relevant industry experience in such fields of programs.”;

(3) in subsection (d), in the matter preceding paragraph (1)—

(A) by inserting “(not including an individual described in the second sentence of subsection (b))” after “each eligible veteran”; and

(B) by inserting “or part-time” after “full-time”; and

(4) in subsection (g), by striking “$15,000,000” and inserting “$45,000,000”; and
(5) by adding at the end the following new subsection (i):

“(i) Prohibition on Certain Accounting of Assistance.—The Secretary may not consider enrollment in a high technology program of education under this section to be assistance under a provision of law referred to in section 3695 of title 38, United States Code.”.

SEC. 204. PILOT PROGRAM FOR OFF-BASE TRANSITION TRAINING FOR VETERANS AND SPOUSES.

(a) Extension of Pilot Program.—Subsection (a) of section 301 of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112–260; 10 U.S.C. 1144 note) is amended—

(1) by striking “During the two-year period beginning on the date of the enactment of this Act” and inserting “During the 5-year period beginning on the date of the enactment of the Dependable Employment and Living Improvements for Veterans Economic Recovery Act”; and

(2) by striking “to assess the feasibility and advisability of providing such program to eligible individuals at locations other than military installations”.

(b) Locations.—Subsection (c) of such section is amended—
(1) in paragraph (1), by striking “not less than three and not more than five States” and inserting “not fewer than 50 locations in States (as defined in section 101 of title 38, United States Code)”; 

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

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

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

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

“(B) a labor force or economy that has been significantly impacted by the covered public health emergency.

“(6) COVERED PUBLIC HEALTH EMERGENCY.— In this subsection, the term ‘covered public health emergency’ means the declaration—

“(A) of a public health emergency, based on an outbreak of COVID–19 by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d); or
“(B) of a domestic emergency, based on an outbreak of COVID–19 by the President, the Secretary of Homeland Security, or State, or local authority.”.

(c) ANNUAL REPORT.—Subsection (e) of such section is amended by adding at the end the following new sentence: “Each such report shall include information about the employment outcomes of the eligible individuals who received such training during the year covered by the report.”.

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

SEC. 205. GRANTS FOR PROVISION OF TRANSITION ASSISTANCE TO MEMBERS OF THE ARMED FORCES AFTER SEPARATION, RETIREMENT, OR DISCHARGE.

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

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

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

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

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

(2) is located in a State with—

(A) a high rate of veteran unemployment;

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

(C) a labor force or economy that has been
significantly impacted by the covered public
health emergency (as such term is defined in
section 201(l)(1)).

(e) AMOUNT OF GRANT.—A grant under this section
shall be in an amount that does not exceed 50 percent
of the amount required by the organization to provide the
services described in subsection (b).
(f) **DEADLINE.**—The Secretary shall carry out this section not later than six months after the effective date of this Act.

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

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

SEC. 206. **ONE-YEAR INDEPENDENT ASSESSMENT OF THE EFFECTIVENESS OF TRANSITION ASSISTANCE PROGRAM.**

(a) **INDEPENDENT ASSESSMENT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the covered officials, shall enter into an agreement with an appropriate entity with experience in adult education to carry out a one-year independent assessment of the Transition Assistance Program under sections 1142 and 1144 of title 10, United States Code (in this section referred to as “TAP”), including—

(1) the effectiveness of TAP for members of each military department during the entire military life cycle;
(2) the appropriateness of the TAP career readiness standards;

(3) a review of information that is provided to the Department of Veterans Affairs under TAP, including mental health data;

(4) whether TAP effectively addresses the challenges veterans face entering the civilian workforce and in translating experience and skills from military service to the job market;

(5) whether TAP effectively addresses the challenges faced by the families of veterans making the transition to civilian life;

(6) appropriate metrics regarding TAP outcomes for members of the Armed Forces one year after separation, retirement, or discharge from the Armed Forces;

(7) what the Secretary, in consultation with the covered officials and veterans service organizations determine to be successful outcomes for TAP;

(8) whether members of the Armed Forces achieve successful outcomes for TAP, as determined under paragraph (7);

(9) how the Secretary and the covered officials provide feedback to each other regarding such outcomes;
(10) recommendations for the Secretaries of the military departments regarding how to improve outcomes for members of the Armed Forces after separation, retirement, and discharge; and

(11) other topics the Secretary and the covered officials determine would aid members of the Armed Forces as they transition to civilian life.

(b) REPORT.—Not later than 90 days after the completion of the independent assessment under subsection (a), the Secretary and the covered officials, shall submit to the Committees on Veterans’ Affairs of the Senate and House of Representatives and the Committees on Armed Services of the Senate and House of Representatives—

(1) the findings and recommendations (including recommended legislation) of the independent assessment prepared by the entity described in subsection (a); and

(2) responses of the Secretary and the covered officials to the findings and recommendations described in paragraph (1).

(c) DEFINITIONS.—In this section:

(1) The term “covered officials” means—

(A) the Secretary of Defense;

(B) the Secretary of Labor;
(C) the Administrator of the Small Business Administration; and

(D) the Secretaries of the military departments.

(2) The term “military department” has the meaning given that term in section 101 of title 10, United States Code.

SEC. 207. LONGITUDINAL STUDY ON CHANGES TO TAP.

(a) Study.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretaries of Defense and Labor and the Administrator of the Small Business Administration, shall conduct a five-year longitudinal study regarding the Transition Assistance Program under sections 1142 and 1144 of title 10, United States Code (in this section referred to as “TAP”), on three separate cohorts of members of the Armed Forces who have separated from the Armed Forces, including—

(1) a cohort that has attended TAP counseling as implemented on the date of the enactment of this Act;

(2) a cohort that attends TAP counseling after the Secretaries of Defense and Labor implement changes recommended in the report under section 206(b); and
(3) a cohort that has not attended TAP counsel-
ing.

(b) PROGRESS REPORTS.—Not later than 90 days
after the date that is one year after the date of the initi-
ation of the study under subsection (a) and annually
thereafter for the three subsequent years, the Secretaries
of Veterans Affairs, Defense, and Labor, and the Adminis-
trator of the Small Business Administration, shall submit
to the Committees on Veterans’ Affairs of the Senate and
House of Representatives and the Committees on Armed
Services of the Senate and House of Representatives a
progress report of activities under the study during the
immediately preceding year.

(c) FINAL REPORT.—Not later than 180 days after
the completion of the study under subsection (a), the Sec-
etaries of Veterans Affairs, Defense, and Labor, and the
Administrator of the Small Business Administration, shall
submit to the Committees on Veterans’ Affairs of the Sen-
ate and House of Representatives and the Committees on
Armed Services of the Senate and House of Representa-
tives a report of final findings and recommendations based
on the study.

(d) ELEMENTS.—The final report under subsection
(c) shall include information regarding the following:
(1) The percentage of each cohort that received unemployment benefits during the study.

(2) The numbers of months members of each cohort were employed during the study.

(3) Annual starting and ending salaries of members of each cohort who were employed during the study.

(4) How many members of each cohort enrolled in an institution of higher learning, as that term is defined in section 3452(f) of title 38, United States Code.

(5) The academic credit hours, degrees, and certificates obtained by members of each cohort during the study.

(6) The annual income of members of each cohort.

(7) The total household income of members of each cohort.

(8) How many members of each cohort own their principal residences.

(9) How many dependents that members of each cohort have.

(10) The percentage of each cohort that achieves a successful outcome for TAP, as determined under section 206(a)(7).
(11) Other criteria the Secretaries and the Administrator of the Small Business Administration determine appropriate.

SEC. 208. DEPARTMENT OF VETERANS AFFAIRS LOAN FEES.

The loan fee table in section 3729(b)(2) of title 38, United States Code, is amended by striking subparagraph (E) and inserting the following:

| (E)(i) Interest rate reduction refinancing loan issued before January 1, 2021 | 0.50 | 0.50 | NA |
| (E)(ii) Interest rate reduction refinancing loan issued on or after January 1, 2021, and before January 15, 2027 | 0.85 | 0.85 | NA |
| (E)(iii) Interest rate reduction refinancing loan issued on or after January 15, 2027 | 0.50 | 0.50 | NA |

Amend the title so as to read: “A bill to provide flexibility for the Secretary of Veterans Affairs in caring for homeless veterans during a covered public health emergency, to direct the Secretary of Veterans Affairs to carry out a retraining assistance program for unemployed veterans, and for other purposes.”.