

**Suspend the Rules and Pass the Bill, HR. 2167**

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

117<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2167

To amend title 38, United States Code, to provide for extensions of the time limitations for use of entitlement under Department of Veterans Affairs educational assistance programs by reason of school closures due to emergency and other situations, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2021

Ms. SHERRILL (for herself and Mrs. MILLER-MEEKS) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to provide for extensions of the time limitations for use of entitlement under Department of Veterans Affairs educational assistance programs by reason of school closures due to emergency and other situations, 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.**

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

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

7 (a) MONTGOMERY GI BILL.—Section 3031 of title  
8 38, United States Code, is amended—

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

11 (2) by adding at the end the following new sub-  
12 section:

13 “(i)(1) In the case of an individual eligible for edu-  
14 cational assistance under this chapter who is prevented  
15 from pursuing the individual’s chosen program of edu-  
16 cation before the expiration of the 10-year period for the  
17 use of entitlement under this chapter otherwise applicable  
18 under this section because of a covered reason, as deter-  
19 mined by the Secretary, such 10-year period—

20 “(A) shall not run during the period the indi-  
21 vidual is so prevented from pursuing such program;  
22 and

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

25 “(i) not earlier than the first day after the  
26 individual is able to resume pursuit of a pro-

1           gram of education with educational assistance  
2           under this chapter; and

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

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

5                   “(A) the temporary or permanent closure of an  
6           educational institution by reason of an emergency  
7           situation; or

8                   “(B) another reason that prevents the indi-  
9           vidual from pursuing the individual’s chosen pro-  
10          gram of education, as determined by the Sec-  
11          retary.”.

12          (b) POST-9/11 EDUCATIONAL ASSISTANCE.— Section  
13   3321(b)(1) of such title is amended—

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

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

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

19                   “(B) Subsection (i) of section 3031 of this title  
20          shall apply with respect to the running of the 15-  
21          year period described in paragraphs (4)(A) and  
22          (5)(A) of this subsection in the same manner as  
23          such subsection (i) applies under such section 3031  
24          with respect to the running of the 10-year period de-  
25          scribed in subsection (a) of such section.”.

1 **SEC. 3. EXTENSION OF PERIOD OF ELIGIBILITY BY REASON**  
2 **OF SCHOOL CLOSURES DUE TO EMERGENCY**  
3 **AND OTHER SITUATIONS UNDER DEPART-**  
4 **MENT OF VETERANS AFFAIRS TRAINING AND**  
5 **REHABILITATION PROGRAM FOR VETERANS**  
6 **WITH SERVICE-CONNECTED DISABILITIES.**

7 Section 3103 of title 38, United States Code, is  
8 amended—

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

11 (2) by adding at the end the following new sub-  
12 section:

13 “(h)(1) In the case of a veteran who is eligible for  
14 a vocational rehabilitation program under this chapter and  
15 who is prevented from participating in the vocational reha-  
16 bilitation program within the period of eligibility pre-  
17 scribed in subsection (a) because of a covered reason, as  
18 determined by the Secretary, such period of eligibility—

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

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

24 “(i) not earlier than the first day after the  
25 veteran is able to resume participation in a vo-

1           cational rehabilitation program under this chap-  
2           ter; and

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

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

5           “(A) the temporary or permanent closure of an  
6           educational institution by reason of an emergency  
7           situation; or

8           “(B) another reason that prevents the veteran  
9           from participating in the vocational rehabilitation  
10          program, as determined by the Secretary.”.

11 **SEC. 4. DEPARTMENT OF VETERANS AFFAIRS DIS-**  
12           **APPROVAL OF COURSES OFFERED BY PUBLIC**  
13           **INSTITUTIONS OF HIGHER LEARNING THAT**  
14           **DO NOT CHARGE VETERANS THE IN-STATE**  
15           **TUITION RATE FOR PURPOSES OF SUR-**  
16           **VIVORS’ AND DEPENDENTS’ EDUCATIONAL**  
17           **ASSISTANCE PROGRAM.**

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

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

22           (2) in paragraph (2), by adding at the end the  
23           following new subparagraph:

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

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

3           (b) CONFORMING AMENDMENTS.—Section 3679(e)  
4 of such title is amended—

5           (1) in paragraph (1)—

6           (A) in subparagraph (A), by striking “or  
7           33” and inserting “, 33, or 35”; and

8           (B) in subparagraph (B), by striking “or  
9           33” and inserting “33, or 35”; and

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

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

16 **SEC. 5. IMPROVEMENTS TO INFORMATION TECHNOLOGY**  
17 **SERVICES USED TO PROCESS CLAIMS FOR**  
18 **EDUCATIONAL ASSISTANCE.**

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

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

4 (1) As compared to legacy information tech-  
5 nology systems—

6 (A) the ability to process claims faster and  
7 in a more efficient manner by improving proc-  
8 essing integration and accuracy;

9 (B) improved data exchange and reporting;  
10 and

11 (C) improved customer integration and  
12 simplification of the online experience.

13 (2) Timely communication by employees of the  
14 Department of Veterans Affairs to individuals and  
15 educational institutions using an online portal that  
16 can provide real-time information on claims for edu-  
17 cational assistance.

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

20 (4) Fully automated to the extent practicable  
21 for all original and supplemental claims, including  
22 with respect to calculating accurate awards.

23 (5) The ability for individuals entitled to edu-  
24 cational assistance to electronically apply for, with-

1 draw from, and amend such entitlement, and to re-  
2 allocate a transferred entitlement.

3 (6) The ability to electronically process changes  
4 made by educational institutions.

5 (7) The ability to verify attendance at an edu-  
6 cational institution.

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

9 (c) INITIAL REPORT.—Not later than 120 days after  
10 the date of the enactment of this Act, the Secretary shall  
11 submit to the Committees on Veterans' Affairs of the  
12 House of Representatives and the Senate a report con-  
13 taining information on the cost, schedule, and perform-  
14 ance of the project for implementing such system, includ-  
15 ing, with respect to such project, the following:

16 (1) An estimate of acquisition, implementation,  
17 and life cycle costs (including all direct and indirect  
18 costs to acquire, implement, operate, and maintain  
19 such system).

20 (2) An intended implementation schedule indi-  
21 cating significant milestones, initial operating capa-  
22 bility, and full operating capability or completion.

23 (3) Key business, functional, or performance  
24 objectives.



1           (4) With respect to both original claims and  
2 supplemental claims processed on a monthly basis,  
3 statistics regarding—

4           (A) the number of such claims processed  
5 using legacy information systems;

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

8           (C) the number of such claims estimated  
9 to be processed using the modern information  
10 technology service.

11          (5) The amount of savings that are estimated  
12 to be realized from using the modern information  
13 technology service rather than legacy information  
14 technology systems.

15          (6) The estimated accuracy of processing  
16 claims.

17          (7) The estimated timeliness for—

18           (A) processing original claims; and

19           (B) processing supplemental claims.

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

22           (A) automate the processing of original  
23 claims; and

24           (B) automate the processing of supple-  
25 mental claims.

1 (d) DEFINITIONS.—In this section:

2 (1) The term “legacy information technology  
3 system” means an information technology system  
4 used by the Department of Veterans Affairs to proc-  
5 ess claims for educational assistance under chapters  
6 30, 33, 35, and 36 of title 38, United States Code,  
7 before the date on which the Secretary of Veterans  
8 Affairs awards a contract under subsection (a) for  
9 the modern information technology service.

10 (2) The term “modern information technology  
11 service” means the information technology service  
12 implemented under subsection (a) to process claims  
13 for educational assistance under chapters 30, 33, 35,  
14 and 36 of title 38, United States Code.

15 **SEC. 6. TIME PERIOD FOR ELIGIBILITY UNDER SURVIVORS’**  
16 **AND DEPENDENTS’ EDUCATIONAL ASSIST-**  
17 **ANCE PROGRAM OF DEPARTMENT OF VET-**  
18 **ERANS AFFAIRS.**

19 (a) IN GENERAL.—Section 3512 of title 38, United  
20 States Code, is amended—

21 (1) by redesignating subsection (h) as sub-  
22 section (f); and

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

1 “(g) Notwithstanding any other provision of this sec-  
2 tion, the following persons may be afforded educational  
3 assistance under this chapter at any time after August  
4 1, 2023, and without regard to the age of the person:

5 “(1) A person who first becomes an eligible per-  
6 son on or after August 1, 2023.

7 “(2) A person who—

8 “(A) first becomes an eligible person be-  
9 fore August 1, 2023; and

10 “(B) becomes 18 years of age, or com-  
11 pletes secondary schooling, on or after August  
12 1, 2023.”.

13 (b) CONFORMING AMENDMENTS.—Such section is  
14 further amended—

15 (1) in subsection (a), by striking “The edu-  
16 cational” and inserting “Except as provided in sub-  
17 section (g), the educational”;

18 (2) in subsection (b)—

19 (A) in paragraph (1)(A), by inserting  
20 “subsection (g) or” after “provided in”; and

21 (B) in paragraph (2), by striking “Not-  
22 withstanding” and inserting “Except as pro-  
23 vided in subsection (g), notwithstanding”; and

1           (3) in subsection (e), by striking “No person”  
2           and inserting “Except as provided in subsection (g),  
3           no person”.

4 **SEC. 7. PILOT PROGRAM ON SHORT-TERM FELLOWSHIP**  
5 **PROGRAMS.**

6           (a) **AUTHORITY.**—The Assistant Secretary of Labor  
7 for Veterans’ Employment and Training shall carry out  
8 a pilot program under which a State may use a grant or  
9 contract under section 4102A(b)(5) of title 38, United  
10 States Code, to carry out a short-term fellowship program.

11          (b) **LOCATIONS; AGREEMENTS.**—The Secretary shall  
12 select at least three, but not more than five, States to  
13 carry out a short-term fellowship program pursuant to  
14 subsection (a). Each such State shall enter into an agree-  
15 ment with a non-profit organization to carry out such pro-  
16 gram.

17          (c) **SHORT-TERM FELLOWSHIP PROGRAM.**—Each  
18 short-term fellowship program carried out by a State pur-  
19 suant to subsection (a) shall—

20           (1) consist of veterans participating as fellows  
21 with an employer for a period not exceeding 20  
22 weeks;

23           (2) provide to such veterans a monthly stipend  
24 during such period; and

1           (3) provide to such veterans an opportunity to  
2           be employed on a long-term basis with the employer  
3           following such period.

4           (d) AMOUNT OF STIPEND.—The amount of the sti-  
5           pend provided to a veteran pursuant to subsection (c)(2)  
6           for a month shall be the amount equal to the amount of  
7           the wages earned by the veteran during that month for  
8           participating in the fellowship.

9           (e) COMPTROLLER GENERAL REPORT.—Not later  
10          than four years after the date on which the pilot program  
11          commences under this section, the Comptroller General of  
12          the United States shall submit to the Committees on Vet-  
13          erans' Affairs of the House of Representatives and the  
14          Senate a report on the pilot program.

15          (f) DEFINITION OF STATE.—In this section, the term  
16          “State” has the meaning given such term in section  
17          4101(6) of title 38, United States Code.

18          (g) AUTHORIZATION OF APPROPRIATIONS.—In addi-  
19          tion to funds made available under section 4102A(b)(5)  
20          of title 38, United States Code, there is authorized to be  
21          appropriated to the Assistant Secretary to carry out the  
22          pilot program under this section \$15,000,000 for each of  
23          fiscal years 2021 through 2025.