

117TH CONGRESS
1ST SESSION

H. R. 637

To direct the Secretary of Veterans Affairs to provide retraining assistance to certain veterans unemployed by reason of the COVID–19 public health emergency.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2021

Mr. BOST introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To direct the Secretary of Veterans Affairs to provide retraining assistance to certain veterans unemployed by reason of the COVID–19 public health emergency.

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 “Veterans Economic
5 Recovery Act of 2021”.

6 **SEC. 2. COVID–19 VETERAN RAPID RETRAINING ASSIST-**
7 **ANCE PROGRAM.**

8 (a) IN GENERAL.—The Secretary of Veterans Affairs
9 shall carry out a program under which the Secretary shall

1 provide up to 12 months of retraining assistance to an
2 eligible veteran for the pursuit of a covered program of
3 education. Such retraining assistance shall be in addition
4 to any other entitlement to educational assistance or bene-
5 fits for which a veteran is, or has been, eligible.

6 (b) ELIGIBLE VETERANS.—

7 (1) IN GENERAL.—For purposes of this section,
8 the term “eligible veteran” means a veteran who—

9 (A) as of the date of the receipt by the De-
10 partment of Veterans Affairs of the application
11 for assistance under this section, is at least 22
12 years of age but not more than 66 years of age;

13 (B) as of such date, is unemployed by rea-
14 son of the covered public health emergency, as
15 certified by the veteran;

16 (C) as of such date, is not eligible to re-
17 ceive educational assistance under chapter 30,
18 31, 32, 33, or 35 of title 38, United States
19 Code, or chapter 1606 of title 10, United States
20 Code;

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

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

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

9 (2) TREATMENT OF VETERANS WHO TRANSFER
10 ENTITLEMENT.—For purposes of paragraph (1)(C),
11 a veteran who has transferred all of the veteran’s
12 entitlement to educational assistance under section
13 3319 of title 38, United States Code, shall be con-
14 sidered to be a veteran who is not eligible to receive
15 educational assistance under chapter 33 of such
16 title.

17 (3) FAILURE TO COMPLETE.—A veteran who
18 receives retraining assistance under this section to
19 pursue a program of education and who fails to com-
20 plete the program of education shall not be eligible
21 to receive additional assistance under this section.

22 (c) COVERED PROGRAMS OF EDUCATION.—

23 (1) IN GENERAL.—For purposes of this section,
24 a covered program of education is a program of edu-
25 cation (as such term is defined in section 3452(b) of

1 title 38, United States Code) for training, pursued
2 on a full-time or part-time basis—

3 (A) that—

4 (i) is approved under chapter 36 of
5 such title;

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

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

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

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

24 (3) DETERMINATION OF HIGH-DEMAND OCCU-
25 PATIONS.—

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

6 (B) STUDY REQUIRED.—The Secretary of
7 Veterans Affairs shall enter into an agreement
8 with a federally funded research and develop-
9 ment corporation or another appropriate non-
10 Department entity for the conduct of a study to
11 determine which occupations are high-demand
12 occupations. Such study shall be completed not
13 later than 90 days after the date of the enact-
14 ment of this Act.

15 (C) FINAL LIST.—The Secretary—

16 (i) may add or remove occupation
17 from the list in use pursuant to subpara-
18 graph (A) during the 90-day period fol-
19 lowing the completion of the study required
20 by subparagraph (B);

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

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

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

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

14 (d) AMOUNT OF ASSISTANCE.—

15 (1) RETRAINING ASSISTANCE.—The Secretary
16 of Veterans Affairs shall provide to an eligible vet-
17 eran pursuing a covered program of education under
18 the retraining assistance program under this section
19 an amount equal to the amount of educational as-
20 sistance payable under section 3313(c)(1)(A) of title
21 38, United States Code, for each month the veteran
22 pursues the covered program of education. Such
23 amount shall be payable directly to the educational
24 institution offering the covered program of education
25 pursued by the veteran as follows:

1 (A) 50 percent of the total amount payable
2 shall be paid when the eligible veteran begins
3 the program of education.

4 (B) 25 percent of the total amount payable
5 shall be paid when the eligible veteran com-
6 pletes the program of education.

7 (C) 25 percent of the total amount payable
8 shall be paid when the eligible veteran finds em-
9 ployment in a field related to the program of
10 education.

11 (2) FAILURE TO COMPLETE.—

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

22 (B) PAYMENT OTHERWISE DUE UPON
23 COMPLETION OF PROGRAM.—The Secretary
24 shall pay to the educational institution a pro-
25 rated amount under paragraph (1)(B) when the

1 veteran provides notice to the educational insti-
2 tution that the veteran no longer intends to
3 pursue the program of education.

4 (C) NONRECOVERY FROM VETERAN.—In
5 the case of a veteran referred to in subpara-
6 graph (A), the educational institution may not
7 seek payment from the veteran for any amount
8 that would have been payable under paragraph
9 (1)(B) had the veteran completed the program
10 of education.

11 (D) PAYMENT DUE UPON EMPLOYMENT.—

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

23 (ii) VETERANS WHO DO NOT FIND EM-
24 PLOYMENT.—In the case of a veteran re-
25 ferred to in subparagraph (A) who does

1 not find employment in a field related to
2 the program of education during the 180-
3 day period beginning on the date on which
4 the veteran withdraws from the program of
5 education—

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

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

15 (3) HOUSING STIPEND.—For each month that
16 an eligible veteran pursues a covered program of
17 education under the retraining assistance program
18 under this section, the Secretary shall pay to the
19 veteran a monthly housing stipend in an amount
20 equal to—

21 (A) in the case of a covered program of
22 education leading to a degree, or a covered pro-
23 gram of education not leading to a degree, at
24 an institution of higher learning (as that term
25 is defined in section 3452(f) of title 38, United

1 States Code) pursued on more than a half-time
2 basis, the amount specified under subsection
3 (c)(1)(B) of section 3313 of title 38, United
4 States Code;

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

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

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

1 which the veteran withdraws from or completes the
2 program.

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

6 (f) EMPLOYMENT ASSISTANCE.—

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

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

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

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

24 (g) NONPROFIT ORGANIZATION.—

1 (1) IN GENERAL.—The Secretary of Veterans
2 Affairs shall seek to enter into a memorandum of
3 understanding with one or more qualified nonprofit
4 organizations for the purpose of facilitating the em-
5 ployment of veterans who participate in the retrain-
6 ing assistance program under this section.

7 (2) QUALIFIED NONPROFIT ORGANIZATION.—
8 For purposes of this subsection, a qualified non-
9 profit organization is a nonprofit organization
10 that—

11 (A) is an association of businesses; and

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

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

23 (i) QUARTERLY REPORTS.—Not later than the date
24 that is one year after the date of the enactment of this
25 Act, and quarterly thereafter, the Secretary of Labor shall

1 submit to the Committees on Veterans' Affairs of the Sen-
2 ate and House of Representatives a report containing the
3 following information about veterans who participate in
4 the retraining assistance program under this section:

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

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

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

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

16 (j) LIMITATION.—Not more than 35,000 eligible vet-
17 erans may receive retraining assistance under this section.

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

21 (l) GAO REPORT.—Not later than 180 days after the
22 termination of the retraining assistance program under
23 subsection (k), the Comptroller General shall submit to
24 the Committees on Veterans' Affairs of the Senate and

1 House of Representatives a report on the outcomes and
2 effectiveness of the program.

3 (m) DEFINITIONS.—In this section:

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

6 (A) of a public health emergency, based on
7 an outbreak of COVID–19 by the Secretary of
8 Health and Human Services under section 319
9 of the Public Health Service Act (42 U.S.C.
10 247d); or

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

15 (2) The term “veteran” means—

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

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

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

4 (n) FUNDING.—

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

12 (2) ADMINISTRATIVE COSTS.—There is author-
13 ized to be appropriated \$15,000,000 to carry out ad-
14 ministrative functions of this section.

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

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