

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.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2021

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

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## 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

(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

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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