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REPORT
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AMENDING TITLE 38, UNITED STATES CODE, TO DIRECT THE SECRETARY OF VETERANS AFFAIRS TO DEVELOP A COMPREHENSIVE POLICY TO IMPROVE OUTREACH AND TRANSPARENCY TO VETERANS AND MEMBERS OF THE ARMED FORCES THROUGH THE PROVISION OF INFORMATION ON INSTITUTIONS OF HIGHER LEARNING, AND FOR OTHER PURPOSES

SEPTEMBER 10, 2012.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. MILLER of Florida, from the Committee on Veterans' Affairs, submitted the following

R E P O R T

[To accompany H.R. 4057]

[Including cost estimate of the Congressional Budget Office]

The Committee on Veterans' Affairs, to whom was referred the bill (H.R. 4057) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

CONTENTS

	Page
Amendment	2
Purpose and Summary	5
Background and Need for Legislation	6
Hearings	11
Subcommittee Consideration	12
Committee Consideration	13
Committee Votes	13
Committee Oversight Findings	13
Statement of General Performance Goals and Objectives	13
New Budget Authority, Entitlement Authority, and Tax Expenditures	14
Earmarks and Tax and Tariff Benefits	14
Committee Cost Estimate	14
Congressional Budget Office Estimate	14
Federal Mandates Statement	17
Advisory Committee Statement	17
Constitutional Authority Statement	17
Applicability to Legislative Branch	17
Section-by-Section Analysis of the Legislation	17
Changes in Existing Law Made by the Bill as Reported	19

19–006

AMENDMENT

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. COMPREHENSIVE POLICY ON PROVIDING EDUCATION INFORMATION TO VETERANS.

(a) COMPREHENSIVE POLICY REQUIRED.—

(1) IN GENERAL.—Chapter 36 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 3698. Comprehensive policy on providing education information to veterans

"(a) COMPREHENSIVE POLICY REQUIRED.—The Secretary shall develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning.

"(b) SCOPE.—In developing the policy required by subsection (a), the Secretary shall include each of the following elements:

"(1) The most effective way to inform individuals of the educational and vocational counseling provided under section 3697A of this title.

"(2) A centralized way to track and publish feedback from students and State approving agencies regarding the quality of instruction and accreditation, recruiting practices, and post-graduation employment placement of institutions of higher learning.

"(3) The merit of and the manner in which a State approving agency shares with an accrediting agency or association recognized by the Secretary of Education under subpart 2 of part H of title IV of the Higher Education Act of 1965 (20 U.S.C. 1099b et seq.) information regarding the State approving agency's evaluation of an institution of higher learning.

"(4) The manner in which information regarding institutions of higher learning is provided to individuals participating in the Transition Assistance Program under section 1144 of title 10.

"(5) The most effective way to provide veterans and members of the Armed Forces with information regarding postsecondary education and training opportunities available to the veteran or member.

"(c) POSTSECONDARY EDUCATION INFORMATION.—(1) The Secretary shall ensure that the information provided pursuant to subsection (b)(5) includes—

"(A) an explanation of the different types of accreditation available to educational institutions and programs of education;

"(B) a description of Federal student aid programs; and

"(C) for each institution of higher learning, for the most recent academic year for which information is available—

"(i) whether the institution is public, private nonprofit, or proprietary for-profit;

"(ii) the name of the national or regional accrediting agency that accredits the institution, including the contact information used by the agency to receive complaints from students;

"(iii) information on the State approving agency, including the contact information used by the agency to receive complaints from students;

"(iv) whether the institution participates in programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

"(v) the tuition and fees;

"(vi) the median amount of debt from Federal student loans under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) held by students at institution;

"(vii) the cohort default rate, as defined in section 435(m) of the Higher Education Act of 1965 (20 U.S.C. 1085(m)), of the institution;

"(viii) the enrollment rates, graduation rates, and retention rates;

"(ix) for each program of education offered by the institution that is designed to prepare a student for an occupation that requires a licensure or certification test offered by a Federal, State, or local government or has other preconditions or requirements, the degree to which the program prepares the student for the particular occupation;

"(x) whether the institution provides students with technical support, academic support, and other support services, including career counseling and job placement; and

"(xi) whether the institution accepts academic credit by students who are transferring to the institution, including credits awarded by a proprietary for-profit institution.

"(2) To the extent possible, the Secretary shall provide the information described in paragraph (1) by including hyperlinks on the Internet website of the Department to other websites that contain such information in a form that is comprehensive and easily understood by veterans, members, and other individuals.

"(d) DEFINITIONS.—In this section:

"(1) The term 'institution of higher learning' has the meaning given that term in section 3452(f) of this title.

"(2) The term 'postsecondary education and training opportunities' means any postsecondary program of education, including apprenticeships and on-job training, for which the Secretary of Veterans Affairs provides assistance to a veteran or member of the Armed Forces.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 3697A the following new item:

"3698. Comprehensive policy on providing education information to veterans.".

(b) PROHIBITION ON INDUCEMENTS.—Section 3696 of title 38, United States Code, is amended by adding at the end the following new subsection:

"(e) The Secretary shall not approve an educational institution if the educational institution provides any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance.".

(c) SURVEY.—In developing the policy required by section 3698(a) of title 38, United States Code, as added by subsection (a), the Secretary shall conduct a market survey to determine the availability of the following:

(1) A commercially available off-the-shelf online tool that allows a veteran or member of the Armed Forces to assess whether the veteran or member is academically ready to engage in postsecondary education and training opportunities and whether the veteran or member would need any remedial preparation before beginning such opportunities.

(2) A commercially available off-the-shelf online tool that provides a veteran or member of the Armed Forces with a list of providers of postsecondary education and training opportunities based on criteria selected by the veteran or member.

(d) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate, the Committee on Education and the Workforce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate a report that includes—

(1) a description of the policy developed by the Secretary under section 3698(a) of title 38, United States Code, as added by subsection (a);

(2) a plan of the Secretary to implement such policy; and

(3) the results of the survey conducted under subsection (b), including whether the Secretary plans to implement the tools described in such subsection.

(e) DEFINITIONS.—In this section:

(1) The term "commercially available off-the-shelf" has the meaning given that term in section 104 of title 41, United States Code.

(2) The term "postsecondary education and training opportunities" means any postsecondary program of education, including apprenticeships and on-job training, for which the Secretary of Veterans Affairs provides assistance to a veteran or member of the Armed Forces.

SEC. 2. STATE CONSIDERATION OF MILITARY TRAINING IN GRANTING CERTAIN STATE CERTIFICATIONS AND LICENSES AS A CONDITION ON THE RECEIPT OF FUNDS FOR VETERANS EMPLOYMENT AND TRAINING.

(a) IN GENERAL.—Section 4102A(c) of title 38, United States Code, is amended by adding at the end the following:

"(9)(A) As a condition of a grant or contract under which funds are made available to a State in order to carry out section 4103A or 4104 of this title for any program year, the Secretary shall require the State to disclose to the Secretary in writing the following:

"(i) Criteria applicants must satisfy to receive a certification or license described in subparagraph (B) by the State.

"(ii) A description of the standard practices of the State for evaluating training received by veterans while serving on active duty in the Armed Forces and evaluating the documented work experience of such veterans during such serv-

ice for purposes of approving or denying a certification or license described in subparagraph (B).

"(iii) Identification of areas in which training and experience described in clause (ii) fails to meet criteria described in clause (i).

"(B) A certification or license described in this subparagraph is any of the following:

"(i) A license to be a nonemergency medical professional.

"(ii) A license to be an emergency medical professional.

"(iii) Any commercial driver's license.

"(C) The Secretary shall share the information the Secretary receives under subparagraph (A)(ii) with the Secretary of Defense to help the Secretary of Defense improve training for military occupational specialties so that individuals who receive such training are able to receive a certification or license described in subparagraph (B) from a State.

"(D) The Secretary shall publish on the Internet website of the Department—

"(i) any guidance the Secretary gives the Secretary of Defense with respect to carrying out this section; and

"(ii) any information the Secretary receives from a State pursuant to subparagraph (A).".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to a program year beginning on or after October 1, 2013.

SEC. 3. CONDITIONS ON THE AWARD OF PER DIEM PAYMENTS BY THE SECRETARY OF VETERANS AFFAIRS FOR THE PROVISION OF HOUSING OR SERVICES TO HOMELESS VETERANS.

(a) CONDITION.—

(1) IN GENERAL.—Paragraph (1) of section 2012(c) of title 38, United States Code, is amended to read as follows:

"(1) Except as provided in paragraph (2), a per diem payment may not be provided under this section to a grant recipient or eligible entity unless the entity submits to the Secretary a certification that the building where the entity provides such housing or services is in compliance with codes relevant to the operations and level of care provided, including the most current Life Safety Code or International Fire Code and all applicable State and local housing codes, licensing requirements, fire and safety requirements, and any other requirements in the jurisdiction in which the project is located regarding the condition of the structure and the operation of the supportive housing or service center.".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to an application for a per diem payment under section 2012 of title 38, United States Code, submitted on or after the date of the enactment of this Act.

(b) ANNUAL REPORT.—Section 2065(b) of title 38, United States Code, is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following new paragraph (6):

"(6) The Secretary's evaluation of the safety and accessibility of facilities used to provide programs established by grant recipients or eligible entities under section 2011 and 2012 of this title, including the number of such grant recipients or eligible entities who have submitted a certification under section 2012(c)(1).".

(c) TREATMENT OF CURRENT RECIPIENTS.—In the case of the recipient of a per diem payment under section 2012 of title 38, United States Code, that receives such a payment during the year in which this Act is enacted, the Secretary of Veterans Affairs shall require the recipient to submit the certification required under section 2012(c)(1) of such title, as amended by subsection (a)(1), by not later than two years after the date of the enactment of this Act. If the recipient fails to submit such certification by such date, the Secretary may not make any additional per diem payments to the recipient under such section 2012 until the recipient submits such certification.

SEC. 4. ESTABLISHMENT OF OPEN BURN PIT REGISTRY.

(a) ESTABLISHMENT OF REGISTRY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) establish and maintain an open burn pit registry for eligible individuals who may have been exposed to toxic chemicals and fumes caused by open burn pits;

(2) include any information in such registry that the Secretary of Veterans Affairs determines necessary to ascertain and monitor the health effects of the exposure of members of the Armed Forces to toxic chemicals and fumes caused by open burn pits;

(3) develop a public information campaign to inform eligible individuals about the open burn pit registry, including how to register and the benefits of registering; and

(4) periodically notify eligible individuals of significant developments in the study and treatment of conditions associated with exposure to toxic chemicals and fumes caused by open burn pits.

(b) REPORT TO CONGRESS.—

(1) REPORT BY INDEPENDENT SCIENTIFIC ORGANIZATION.—The Secretary of Veterans Affairs shall enter into an agreement with an independent scientific organization to develop a report containing the following:

(A) An assessment of the effectiveness of actions taken by the Secretaries to collect and maintain information on the health effects of exposure to toxic chemicals and fumes caused by open burn pits.

(B) Recommendations to improve the collection and maintenance of such information.

(C) Using established and previously published epidemiological studies, recommendations regarding the most effective and prudent means of addressing the medical needs of eligible individuals with respect to conditions that are likely to result from exposure to open burn pits.

(2) SUBMITTAL TO CONGRESS.—Not later than 18 months after the date on which the registry under subsection (a) is established, the Secretary of Veterans Affairs shall submit to Congress the report developed under paragraph (1).

(c) DEFINITIONS.—In this section:

(1) The term "open burn pit" means an area of land located in Afghanistan or Iraq that—

(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

(2) The term "eligible individual" means any individual who, on or after September 11, 2001—

(A) was deployed in support of a contingency operation while serving in the Armed Forces; and

(B) during such deployment, was based or stationed at a location where an open burn pit was used.

SEC. 5. PERFORMANCE AWARDS IN THE SENIOR EXECUTIVE SERVICE.

For each of fiscal years 2013 through 2017, the Secretary of Veterans Affairs may not pay more than $1,000,000 in performance awards under section 5384 of title 5, United States Code.

PURPOSE AND SUMMARY

H.R. 4057 was introduced on February 16, 2012, by Representative Gus Bilirakis of Florida. H.R. 4057, as amended, incorporates provisions from H.R. 4115, introduced by Representative Steve Stivers of Ohio; H.R. 4079, as amended, introduced by Representative David McKinley of West Virginia; and H.R. 3337, as amended, introduced by Representative Todd Akin of Missouri. The bill, as amended, would direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve the outreach efforts of institutions of higher learning while providing greater transparency of educational information; would require states to consider military training in granting certain state certifications and licenses; would adjust how grant and per diem payment are paid to homeless veteran providers; would create an open burn pit registry for veterans of conflicts in Iraq and Afghanistan; and, would limit bonuses for senior executives at the Department of Veterans Affairs (VA).

BACKGROUND AND NEED FOR LEGISLATION

SECTION 1—COMPREHENSIVE POLICY ON PROVIDING EDUCATION INFORMATION TO VETERANS

During the 112th Congress, there has been a renewed focus on the growth of for-profit colleges and alleged predatory practices used by some institutions to recruit GI Bill recipients under chapter 30, 31, 32, 33, and 35 of title 38, U.S.C. While the Committee has received some anecdotal evidence of misleading and predatory practices being conducted by some schools, there is little empirical evidence to support the claims that the for-profit school industry, as a whole, is systematically taking advantage of veterans and servicemembers. While the Committee acknowledges that there could be some bad actors using these predatory practices at for-profit, non-profit, and public institutions, we believe that the actions of a few should not taint an entire industry.

Instead, the Committee believes that the best tool to make the best use of education benefits is to ensure students have the appropriate information needed to make decisions about how to use their VA education benefits.

The Committee believes this section of H.R. 4057, as amended, will help students make an informed choice. This section would require VA to develop a comprehensive policy to improve the transparency and dissemination of education information to veterans. Implemented effectively, this policy would enable veterans to better understand their education benefits and to be better informed about which educational institutions are most appropriate for them.

To accomplish these goals, section 1 would require VA to research and implement the most effective means of making veterans more aware of Chapter 36 Vocational/Educational counseling benefits. Although this educational counseling is available and is a valuable resource, far too few veterans (only 6,656 in FY 2011) take advantage of this one-on-one counseling. The Committee hopes that VA would increase the awareness of students in regards to this counseling by putting a link to Chapter 36 counseling information on the VA online application for Chapter 33 benefits and during the application process for all VA education benefits.

Next, section 1 would require that VA consider providing a centralized system to track and publish feedback on schools from students and State Approving Agencies (SAA). This would include assessment of the quality of instruction and accreditation, recruiting practices, and post-graduation employment placement of institutions of higher learning. In providing this complaint forum, students would be able to read reports from other students and SAAs about the school. The Committee expects that VA would use the centralized process for valid complaints, and not, for example, matters that are subjective in nature, such as grades. The Committee also expects that VA would prohibit anonymous filings to ensure the database's legitimacy and to prevent fraudulent complaints. Students and agencies must be held accountable for any comments that they wish to submit in a public forum such as that proposed in this section.

Section 1 would also address the manner in which SAAs share information with accrediting institutions. The policy that would be

required by this section would require the SAAs to share information they gather on schools with accrediting agencies. The Committee believes that by working together the SAAs and accrediting agencies will be better-equipped to address any issues that are occurring at schools and improve the experience for students.

The Committee has found that some veterans are simply not aware of the benefits available to them. The policy required under section 1 would also encourage VA to increase outreach to veterans through the Transition Assistance Programs (TAP). The Committee believes that if more emphasis was placed on education benefits at TAP, servicemembers would be better informed about their benefits before they leave active duty.

In an effort to offer even more resources that provide education information for veterans, section 1 would require VA to provide a list of hyperlinks on its website that lead to existing websites, such as the U.S. Department of Education's College Navigator, that provide consumer information about schools. Graduation and retention rates would be required as well as the median amount of Federal student loan debt, and other information. The Committee notes that the information that would be required in most cases is already listed among the 272 data types for education institutions listed on the College Navigator website. The Committee expects VA to use existing websites and not re-create information that is already available.

Section 1 would prohibit inducements of any kind to reward recruiting by employees or students. The Committee believes that students seeking higher education or training should be able to make an informed decision, and should not be influenced by those few schools that use deceptive practices to recruit veterans. The language in this section that prohibits these inducements aligns with similar language in section 487 of the Higher Education Act of 1965 (title 20 U.S.C.).

Under this section, VA would also be required to conduct a market survey to identify two commercially available off-the-shelf software systems. The first system would contain a database of institutions that can be narrowed down by the user's criteria (such as environment, location, programs offered, requirements for graduation and other criteria). Such a system would allow students to compare institutions side-by-side which the Committee believes would help enable more informed decisions.

The second system would provide veterans with the option to assess whether they are academically prepared or would need remediation before attending post-secondary training. We believe such a test will help veterans be successful in the education or training program of their choice.

Finally, section 1 would require VA to report on the development and implementation of the comprehensive policy required by this section within 90 days of enactment. This report would be sent to the House and Senate Committees on Veterans' Affairs as well as the House Committee on Education and the Workforce and the Senate Committee on Health, Education, Labor, and Pensions.

SECTION 2—STATE CONSIDERATION OF MILITARY TRAINING IN GRANTING CERTAIN STATE CERTIFICATIONS AND LICENSES AS A CONDITION ON THE RECEIPT OF FUNDS FOR VETERANS EMPLOYMENT AND TRAINING

Section 2 would require states to provide information to the U.S. Department of Labor describing how their state licensing or certification processes for occupations such as nursing assistants, registered nurses, certified nursing assistants, emergency medical technicians, and commercial drivers might grant credit for prior military education and training in these fields.

The Committee believes that this information sharing would assist veterans in transferring the skills acquired during active duty service to civilian professional opportunities with a minimum of additional or repetitive training. The Committee believes that the program would encourage states to recognize veterans' prior experience and training to ensure that state licensing or certification processes are not duplicative of education and training veterans have already undergone in the military.

Section 2 would also require that the Department of Labor publish the results of its data collection on its website so veterans and servicemembers can see how their military training does, or does not, lead to a license or credential in a particular state. The Department of Labor would also have to transfer the data to the Department of Defense to assist in determining the feasibility of adjusting in-service training to better conform to the licensing and credentialing requirements in states. The Committee hopes that by making this information available on the internet that states and credentialing bodies would adjust licensing and credentialing requirements to facilitate recruitment of qualified veterans.

SECTION 3—CONDITIONS ON THE AWARD OF PER DIEM PAYMENTS BY THE SECRETARY OF VETERANS AFFAIRS FOR THE PROVISION OF HOUSING OR SERVICES TO HOMELESS VETERANS

The Department of Housing and Urban Development estimates that in 2011, approximately 14 percent of all homeless adults in the United States were veterans, with approximately 67,494 veterans homeless on any given night in January 2011 alone. The VA provides housing and supportive services to homeless veterans through a myriad of programs, including the Homeless Provider Grant and Per Diem (GPD) Program.

The GPD Program was authorized as a pilot in P.L. 102–590 (106 Stat. 5141), the Homeless Veterans Comprehensive Service Programs Act of 1992, and was made permanent in P.L. 109–461 (120 Stat. 3403), the Veterans Benefits, Health Care, and Information Technology Act of 2006. According to VA, the purpose of the program is to promote the development and provision of supportive housing and services to homeless veterans to assist them in achieving residential stability, increased income level and skills, and greater self-determination.

Under the grant portion of the program, public entities or private nonprofit organizations may apply for capital grants to fund up to 65 percent of the cost of acquisition, expansion, or remodeling of a building for use as a service center or transitional housing facility. Grants may also be used to procure vans for outreach and trans-

portation needs. To be considered eligible for a grant under this program, 75 percent or more of the clients served by the grantee must be veterans. Under the per diem portion of the program, grant recipients and/or organizations that would be eligible to apply for and receive grants are reimbursed for the cost of providing housing or supportive services to homeless veterans. Supportive services eligible for reimbursement under the GPD Program include: outreach activities; food and nutrition services; health care; mental health care; substance use counseling; job training and placement; and transportation. The maximum per diem rate for a supportive housing center is currently set at $38.90 per day per veteran. The maximum per diem rate for a service center not connected with a supportive housing center is currently set at one-eighth of the daily cost of care, not to exceed eight hours in any given day or the current VA state home rate for domiciliary care.

Section 2011(b)(5) of title 38, United States Code stipulates that VA ensure that entities receiving grants under the GPD Program meet fire and safety requirements established by VA as well as all applicable state and local codes and standards. VA medical center clinicians in each local jurisdiction act as liaisons between the Department and the GPD-funded entity and are responsible for ensuring compliance with this provision. There is no similar requirement for recipients of per diem payments under the GPD Program and VA is not required to evaluate or report an assessment of the basic safety of homeless service providers.

GPD-funded entities are commonly referred to as "residential board and care facilities." These facilities are defined as a building or portion of a building that is used for lodging and/or boarding four or more residents who are not related by blood or marriage to the owners or operators of the building for the purpose of providing personal care services. The National Fire Protection Association (NFPA) estimates that, from 2006 to 2010, more than nineteen hundred structure fires were reported in facilities of this kind. The fires resulted in ten deaths, 61 injuries, and $8 million in property damage.

To combat these fires, NFPA publishes and recommends the use of the Life Safety Code. The Life Safety Code governs the annual maintenance of fire extinguishers, exit paths, and other issues related to safety of building users in an emergency situation. In addition to the Life Safety Code, approximately 43 states use the International Fire Code (IFC), published by the International Code Council (ICC) to govern annual maintenance of building safety features. The two codes are similar in scope, and equivalent in maintaining a safe building environment. However, in a statement for the record provided to the Subcommittee on Health the National Association of State Fire Marshals reported that some parts of the country have no minimum building or fire code requirements and, in states where such requirements are present, significant variation exists in their use and application.

While some states and local jurisdictions use the Life Safety Code, published by the National Fire Protection Association (NFPA), as the code to govern annual maintenance of fire extinguishers, exit paths, and other issues related to safety of building users in an emergency situation, 43 states use the International Fire Code (IFC), published by the International Code Council (ICC)

to govern annual maintenance of building safety features. The two codes, while similar in scope, and equivalent in maintaining a safe building environment, cannot be enforced simultaneously without significant and unnecessary expense. Therefore, allowing use of the IFC in the alternative assures the safety of all veterans' facilities, while not imposing additional inspection or compliance burdens in the 43 states where the IFC is currently adopted and enforced.

Section 3 of H.R. 4057, as amended, would require per diem recipients under the VA Homeless Grant and Per Diem Program to provide VA with a certification of compliance with all relevant fire, safety, and building codes and require VA to include an accounting and evaluation of the safety and accessibility of facilities used for homeless veterans in the Annual Report on Assistance to Homeless Veterans. Existing recipients would have two years to certify such compliance.

SECTION 4—ESTABLISHMENT OF OPEN BURN PIT REGISTRY

According to the Institute of Medicine, uncontrolled burning of waste in pits has been the primary solid waste management solution during the conflicts in Iraq and Afghanistan. Joint Base Balad, one of the largest military bases in Iraq, burned an estimated 100 to 200 tons of waste per day in open-air burn pits in 2007. Burn pit usage was restricted in 2009 after servicemembers complained of poor odor, decreased visibility, and detrimental health effects. The potential long-term health effects of burn pit exposure continues to cause widespread concern on behalf of servicemembers, veterans, and their families.

In response to these concerns, VA asked the Institute of Medicine (IOM) to conduct a study to assess the possible long-term health effects of burn pit exposure in veterans of Iraq and Afghanistan. The IOM study was issued on October 31, 2011. Due to complicating factors, including the presence of high background levels of ambient pollution from other sources, a lack of information regarding the quantity and composition of the waste burned in burn pits, and insufficient data on exposure to burn pit emissions, the IOM was unable to develop a firm conclusion regarding the long-term health effects of burn pit exposure. In an April 16, 2012, statement for the record for the Subcommittee on Health, the IOM recommended that, "[a]long with more efficient data gathering methods, the report recommends that a study be conducted that would evaluate the health status of servicemembers from their time of deployment . . . over many years to determine the incidence of chronic diseases, including cancers, that tend to show up decades after exposure."

VA has long identified a need for the Department to monitor possible health risks and understand the long-term consequences of exposure to chemical hazards during military service. Accordingly, the Department currently operates five environmental health registries, including an Agent Orange Registry and a Gulf War Registry. VA claims that these registries are intended for, " . . . veterans who may have been exposed to certain environmental hazards during military service "and allow the Department to, " . . . track and monitor the health of specific groups of veterans," and to " . . . understand and respond to . . . health problems more effectively." Enrollment in a VA health registry is free and voluntary

and does not require a veteran to enroll in the VA healthcare system. VA's Environmental Health Registry Brochure actively encourages all eligible veterans meeting the criteria for a registry to enroll and receive an evaluation.

Section 4 of H.R. 4057, as amended, would require VA to establish and maintain an open burn pit registry, to include information necessary to ascertain and monitor health effects, for veterans of Iraq and Afghanistan who may have been exposed to toxic chemicals and fumes caused by open burn pits during deployment; direct VA to develop a public information campaign to inform eligible veterans about the registry and periodically notify them of significant developments in the study and treatment of conditions associated with burn pit exposure; require VA to contract with an independent scientific organization to develop a report on the effectiveness of actions taken to collect and maintain information on the health effects of burn pit exposure and submit the completed report to Congress.

SECTION 5—PERFORMANCE AWARDS IN SENIOR EXECUTIVE SERVICES

Section 5384 of title 5, United States Code, sets out the authority for Federal agencies to allocate performance incentives to employees of the Senior Executive Service (SES). According to information supplied by VA, 221 SES bonuses were awarded in FY 2008 at a total cost of $3,816,330; 219 bonuses were awarded in FY 2009 at a total cost of $3,728,536; and 227 bonuses were awarded in FY 2010 at a total cost of $3,342,100. During this tight fiscal climate, it is appropriate that VA reevaluate its entire bonus program and exercise restraint in its award of them particularly when there is a dubious connection between agency performance and bonuses awarded.

In order to facilitate that reevaluation, section 5 would require VA to limit the amount paid in performance awards to senior staff to a total of $1 million for the fiscal years of 2013 to 2017.

HEARINGS

On March 8, 2012, the Subcommittee on Economic Opportunity conducted a legislative hearing on various bills introduced during the 112th Congress, including H.R. 4057, The Following witnesses testified:

Mr. Richard F. Weidman, Executive Director for Policy and Government Affairs, Vietnam Veterans of America; Mr. Ryan M. Gallucci, Deputy Director, National Legislative Service, the Veterans of Foreign Wars of the United States; Mr. Steve L. Gonzalez, Assistant Director, National Economic Commission, The American Legion; Mr. Jason R. Thigpen, Co-Founder and President, Student Veterans Advocacy Group; The Honorable Steve Gunderson, President and CEO, Association of Private Sector Colleges and Universities (APSCU); Dr. Allen L. Sessoms, President, the University of the District of Columbia, on behalf of American Association of State Colleges and Universities (AASCU); Mr. Curtis L. Coy, Deputy Under Secretary for Economic Opportunity, Veterans Benefits Administration, U.S. Department of Veterans Affairs, accompanied by Mr. C. Ford Heard, Associate Deputy Assistant Secretary for Procurement Policy, Systems and Oversight, Office of Acquisitions, Lo-

gistics and Construction and Mr. Keith Wilson, Director, Education Service, Veterans Benefit Administration; MG Ronald G. Young USA (Ret.), Director, Family and Employer Program and Policy, U.S. Department of Defense; and Mr. Ismael "Junior" Ortiz, Deputy Assistant Secretary, Veterans' Employment and Training Service, U.S. Department of Labor.

On April 16, 2012, the Subcommittee on Health held a legislative hearing on various bills introduced during the 112th Congress, including H.R. 3337 and H.R. 4079. The following witnesses testified at the hearing:

The Honorable William Owens, U.S. Representative from the 23rd District of New York; the Honorable John Barrow, U.S. Representative from the 12th District of Georgia; the Honorable Jeff Denham, U.S. Representative from the 19th District of California; the Honorable Silvestre Reyes, U.S. Representative from the 16th District of Texas; the Honorable W. Todd Akin, U.S. Representative from the 2nd District of Missouri; the Honorable Robert T. Schilling, U.S. Representative from the 17th District of Illinois; and, the Honorable David B. McKinley, U.S. Representative from the 1st District of West Virginia; Shane Barker, Senior Legislative Associate for the Veterans of Foreign Wars; Adrian Atizado, Assistant National Legislative Director for the Disabled American Veterans; Reńe A. Campos, Commander, U.S. Navy (Ret.) and Deputy Director of Government Relations for the Military Officers Association of America; Ramsey Sulayman, Legislative Associate for the Iraq and Afghanistan Veterans of America; and, Ralph Ibson, National Policy Director for the Wounded Warrior Project; Robert L. Jesse, M.D., Ph.D., the Principal Deputy Under Secretary for Health for the Veterans Health Administration for the U.S. Department of Veterans Affairs. Dr. Jesse was accompanied by Susan Blauert, the Deputy Assistant General Counsel for the Office of General Counsel for the U.S. Department of Veterans Affairs. Statements for the record were provided by the Institute of Medicine, Burn Pits 360, Humana Government, the National Coalition of Homeless Veterans, the National Association of State Fire Marshals, the Paralyzed Veterans of America, and the American Legion.

SUBCOMMITTEE CONSIDERATION

On June 28, 2012, the Subcommittee on Economic Opportunity met in an open markup session, a quorum being present, and favorably forwarded to the full Committee H.R. 4057, as amended, by voice vote. During consideration of the bill the following amendment was considered: An amendment in the nature of a substitute offered by Ranking Member Braley of Iowa that added provisions requiring VA to provide links on its website to consumer education information for schools and programs approved for GI bill benefits was agreed to by voice vote.

On June 29, 2012, the Subcommittee on Health met in an open markup session, a quorum being present, and favorably forwarded to the full Committee H.R. 3337, as amended, and H.R. 4079, as amended by voice vote.

During consideration of H.R. 3337 the following amendment was considered and agreed to by voice vote. :

An amendment offered by Mr. Stearns of Florida that would limit the amount that VA would pay in performance awards to senior staff to $2 million per year over fiscal years (FYs) 2013–2017.

During consideration of H.R. 4079 the following amendment was considered and agreed to by voice vote:

An amendment in the nature of a substitute, offered by Ms. Buerkle of New York that would require per diem payment recipients under the VA GPD Program to provide VA with a certification of compliance with all relevant fire, safety, and building codes. It would also require VA to include an accounting and evaluation of the safety and accessibility of facilities used to provide programs for homeless veterans in the Annual Report on Assistance to Homeless Veterans.

COMMITTEE CONSIDERATION

On July 11, 2012, the full Committee met in an open markup session, a quorum being present, and ordered H.R. 4057, as amended, reported favorably to the House of Representatives, by voice vote. During consideration of the bill, the following amendment was considered:

An amendment in the nature of a substitute, by Mr. Bilirakis of Florida that made minor changes to the provisions in section 1 relating to education benefits and added sections 2, 3, 4, and 5 related to licensing and credentialing, grant and per diem payments, establishment of a burn pit registry, and limitations on executive bonuses at VA. During consideration of this amendment Mr. Walz of Minnesota offered an amendment to section 2 of the amendment in the nature of a substitute to add requirements to the disclosure of information on licensing and credentialing gathered by the Secretary of Labor, which was agreed to by voice vote. The amendment in the nature of a substitute, as amended, was agreed to by voice vote.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the recorded votes on the motion to report the legislation and amendments thereto. There were no recorded votes taken on amendments or in connection with ordering H.R. 4057, as amended, reported to the House. A motion by Ranking Member Bob Filner of California to order H.R. 4057, as amended, reported favorably to the House of Representatives was agreed to by voice vote.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee's performance goals and objectives are reflected in the descriptive portions of this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the estimate of new budget authority, entitlement authority, or tax expenditures or revenues contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

EARMARKS AND TAX AND TARIFF BENEFITS

H.R. 4057, as amended, does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

COMMITTEE COST ESTIMATE

The Committee adopts as its own the cost estimate on H.R. 4057, as amended, prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the following is the cost estimate for H.R. 4057, as amended, provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

U.S. CONGRESS
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 2, 2012.

Hon. JEFF MILLER,
Chairman, Committee on Veterans' Affairs,
U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4057, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning, and for other purposes.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is William Ma.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

H.R. 4057—A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning, and for other purposes

Summary: H.R. 4057 would require the Department of Veterans Affairs (VA) to provide information on educational institutions to veterans and servicemembers, establish a registry to track servicemembers who may have been exposed to toxic chemicals

caused by open burn pits, and make other changes to programs that provide services to veterans. The bill also would limit the amount of performance awards VA may pay to senior staff.

On net, CBO estimates that implementing H.R. 4057 would reduce discretionary costs by $1 million over the 2013–2017 period, assuming appropriation actions consistent with the bill. Pay-as-you-go procedures do not apply to this legislation because it would not affect direct spending or revenues.

H.R. 4057 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 4057 is shown in the following table. The costs of this legislation fall within budget function 700 (veterans benefits and services).

	By fiscal year, in millions of dollars—					
	2013	2014	2015	2016	2017	2013–2017
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Performance Awards for Senior Executive Staff:						
Estimated Authorization Level	−3	−3	−3	−3	−3	−13
Estimated Outlays	−3	−3	−3	−3	−3	−13
Education Information for Veterans:						
Estimated Authorization Level	4	1	1	1	1	8
Estimated Outlays	3	1	1	1	1	7
State Certifications and Licensing:						
Estimated Authorization Level	0	2	*	*	*	3
Estimated Outlays	0	1	1	*	*	3
Open Burn Pit Registry:						
Estimated Authorization Level	1	1	*	*	*	2
Estimated Outlays	1	1	*	*	*	2
Total Changes:						
Estimated Authorization Level	2	1	−2	−2	−2	0
Estimated Outlays	1	0	−1	−2	−2	−1

Notes: Components may not sum to totals because of rounding.
* = less than $500,000.

Basis of estimate: This estimate is based on information from VA and the Department of Labor (DOL). For the purposes of this estimate, CBO assumes that the bill will be enacted near the beginning of fiscal year 2013, that annual appropriations acts consistent with this bill will be enacted, and that outlays will follow historical patterns for similar and existing programs.

Performance awards for senior executive staff

Section 5 would limit the total amount that VA could pay in performance awards to senior staff to $1 million per year over the 2013–2017 period. In recent years, VA paid slightly less than $4 million annually for performance awards. Assuming that similar amounts would be provided under current law going forward, CBO estimates that implementing section 5 would reduce discretionary costs for pay and performance by $13 million over the 2013–2017 period, assuming appropriations actions consistent with the bill.

Education information for Veterans

Section 1 would require VA to develop a policy to improve outreach efforts to those veterans and servicemembers using, or seeking to use, their education benefits and to provide those individuals with detailed information on educational institutions. VA also

would be required to conduct a market survey of online applications that would allow veterans to assess their academic preparedness to pursue postsecondary education and training opportunities and provide those veterans with a list of providers of such opportunities.

Based on information from VA, CBO estimates that VA would have to hire four additional full-time employees and develop an information technology (IT) system to implement those provisions. CBO estimate that hiring those employees, developing and maintaining the IT system, and conducting the outreach would cost $7 million over the 2013–2017 period, assuming appropriation of the estimated amounts.

State certifications and licensing

Under section 2, to qualify for grants from DOL to provide employment services to veterans, states would have to submit to DOL their standards for issuing certifications or licenses to veterans who served in certain medical and transportation occupations while on active duty. In addition, the states would be required to include an explanation of how they evaluate the training and work experience received by those veterans. Upon receipt, DOL would have to publish that information on its Web site and share it with the Department of Defense.

Based on information from DOL, CBO estimates that DOL would have to develop an IT system and utilize about four full-time employees to manage, and make available via the Internet, the information that would be provided by the states. CBO estimates that implementing section 2 would cost $3 million over the 2013–2017 period, assuming appropriation of the necessary amounts.

Open burn pit registry

Section 4 would require VA, not later than 180 days after enactment, to establish an open burn pit registry for servicemembers who may have been exposed to toxic chemicals from burn pits while deployed in Iraq or Afghanistan. The registry would provide information on the health impacts from exposure to such toxins. This bill also would require VA to develop a campaign to make the public aware of the registry. Based on information about existing registries established by VA, CBO estimates that the start-up and maintenance costs for the registry and an associated public awareness campaign would amount to $1 million in 2013 and $2 million over the 2013–2017 period, assuming the availability of appropriated funds.

Grants for homeless Veterans

Section 3 would require recipients of certain grants to certify to VA that they comply with all state, local, and federal requirements relevant to their operations and the level of care provided to homeless veterans (for example, fire and safety regulations). Under current law, grantees are already required to meet such regulations but are not required to provide certification. CBO estimates the discretionary costs would not be significant (less than $500,000) over the 2013–2017 period, assuming the availability of the necessary funds, and would reflect VA's cost to update the grant criteria and review compliance documents.

Pay-As-You-Go considerations: None.

Estimated impact on state, local, and tribal governments: H.R. 4057 contains no intergovernmental mandates as defined in UMRA. As a condition of federal assistance, the bill would prohibit public institutions of higher education from providing bonuses or incentive payments to admissions or recruiting personnel related to enrollment or financial aid awards. In addition, the bill would require states to certify the safety of facilities where assistance is provided to veterans and to provide DOL with standards for licensing commercial drivers and medical professionals in a state. Any costs incurred by those governments would result from complying with grant conditions.

Estimated impact on the private sector: H.R. 4057 contains no new private-sector mandates as defined in UMRA.

Estimate prepared by: Federal Costs: Ann Futrell, William Ma, and Dwayne Wright; Impact on State, Local, and Tribal Governments: Lisa Ramirez-Branum; Impact on the Private Sector: Elizabeth Bass.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates regarding H.R. 4057, as amended, prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act would be created by H.R. 4057, as amended.

STATEMENT OF CONSTITUTIONAL AUTHORITY

Pursuant to Article I, Section 8 of the United States Constitution, the reported bill is authorized by Congress' power to "provide for the common Defense and general Welfare of the United States."

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Comprehensive policy on providing education information to veterans

Section 1(a) would amend chapter 36 of title 38, U.S.C. to add a new section that would require the VA to develop a comprehensive policy to improve outreach to veterans and to improve the transparency of information related to institutions of higher learning. The policy would require VA to address the following matters: the most effective way for VA to determine how to make veterans aware of education counseling under Chapter 36; a "centralized"

way to publish assessments and complaints from veterans including feedback from veterans and State Approving Agencies; the merit and manner in which State Approving Agencies share information with accrediting institutions; the manner in which servicemembers are informed through the Transition Assistance Programs (TAP) about information on education benefits; and the best way to inform veterans and servicemembers about post-secondary education and training.

This section would also require that as part of this policy, VA would provide links on the Department's website to the appropriate websites that include the following information regarding schools and programs approved for GI Bill benefits: types of accreditation available to schools; a description of Federal student aid programs; whether an institution is public, non-profit, or for-profit; name of the accrediting body that accredits the institution; how students could contact State Approving Agencies to file complaints; whether an institution participates in Title IV (Higher Ed Act) programs; tuition and fees; the median amount of federal student loan debt that the average student incurs while attending the institution, enrollment and graduation data; the degree to which an institution's programs prepare a student to take Federal, state and local tests for licensure or certification in their area of study; the types of student support services offered by the institution, and a description of their policy regarding transfer of academic credits, including those from for-profit schools.

Section 1(b) would amend the law to prohibit inducements of any kind to reward for recruiting by employees or students.

Section 1(c) would require VA to determine the availability of commercial-off-the-shelf software to assist students in choosing an academic institution. It would also require VA to determine the availability of commercial-off-the-shelf software to assist students in determining readiness for post-secondary education and training.

Section 1(d) would require VA to provide to Congress within 90 days of enactment a report on development of the policy and its implementation.

Section 2. State consideration of military training in granting certain State certifications and licenses as a condition on the receipt of funds for veterans employment and training

Section 2(a) would amend 4012A(c) of title 38, U.S.C. to require, as a condition of receipt of a grant or contract for veteran employment and training, States to provide information to DoL describing how a State would treat military education and training towards a State's licensing or certification requirements for the following occupations: nursing assistant, registered nurse, certified nursing assistant, emergency medical technician, and commercial driver's license. The Department of Labor would have to report on their findings and would have to publish them on the Department's internet website and to provide much info to DoD.

Section 3. Conditions on the Award of Per Diem payments by the Secretary of Veterans Affairs for the provision of housing or services to homeless veterans

Section 3(a) of the bill would amend section 2012(c) of subchapter I of chapter 20 of title 38, U.S.C. to require recipients of VA per diem payments to certify that the building where the entity provides housing or services is in compliance with the Life Safety Code, the International Fire Code, and other state and local codes relevant to the operations and level of care provided.

Section 3(b) of the bill would require VA to submit an annual report on the Secretary's evaluation of the safety and accessibility of facilities used to provide programs established by grant recipients or other eligible entities.

Section 3(c) of the bill would require current recipients of per diem payments under section 2012 of title 38 U.S.C. to submit a certification to VA of their compliance with the Life Safety Code, the International Fire Code, and other state and local codes relevant to the operations and level of care provided no later than two years after the date of enactment of this Act.

Section 4. Establishment of Open Burn Pit Registry

Section 4(a) of the bill would require VA to establish and maintain an open burn pit registry for eligible individuals; include certain information within such registry; develop a public information campaign to inform eligible individuals about the registry; and, periodically notify them of significant developments.

Section 4(b) of the bill would require VA to enter into an agreement with an independent scientific organization to develop a report on the effectiveness of actions taken to collect and maintain information on the health effects of burn pit exposure and submit the report to Congress no later than 18 months after the date on which the registry under section 4(a) of the bill is established.

Section 4(c) of the bill would define an "open burn pit" as an area of land located in Iraq or Afghanistan that is designated by the Secretary of Defense to be used for disposing of solid waste by burning in the outdoor air and does not contain a commercially manufactured incinerator or other equipment specifically designated and manufactured for the burning of solid waste; and, an "eligible individual" as any individual who, after September 11, 2001, was deployed in support of a contingency operation while serving in the Armed Forces and, during such deployment, was based or stationed at a location where an open burn pit was used.

Section 5. Performance awards in senior executive services

Section 5 would require VA to limit the amount paid in performance awards to senior staff to a total of $1 million for each of fiscal years 2013 to 2017.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

TITLE 38, UNITED STATES CODE

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PART II—GENERAL BENEFITS

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CHAPTER 20—BENEFITS FOR HOMELESS VETERANS

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SUBCHAPTER II—COMPREHENSIVE SERVICE PROGRAMS

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§ 2012. Per diem payments

(a) * * *

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(c) LIFE SAFETY CODE.—[(1) Except as provided in paragraph (2), a per diem payment may not be provided under this section to a grant recipient or eligible entity unless the facilities of the grant recipient or eligible entity, as the case may be, meet applicable fire and safety requirements under the Life Safety Code of the National Fire Protection Association or such other comparable fire and safety requirements as the Secretary may specify.] *(1) Except as provided in paragraph (2), a per diem payment may not be provided under this section to a grant recipient or eligible entity unless the entity submits to the Secretary a certification that the building where the entity provides such housing or services is in compliance with codes relevant to the operations and level of care provided, including the most current Life Safety Code or International Fire Code and all applicable State and local housing codes, licensing requirements, fire and safety requirements, and any other requirements in the jurisdiction in which the project is located regarding the condition of the structure and the operation of the supportive housing or service center.*

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SUBCHAPTER VII—OTHER PROVISIONS

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§ 2065. Annual report on assistance to homeless veterans

(a) * * *

(b) GENERAL CONTENTS OF REPORT.—Each report under subsection (a) shall include the following:

(1) * * *

* * * * * * *

(6) The Secretary's evaluation of the safety and accessibility of facilities used to provide programs established by grant recipients or eligible entities under section 2011 and 2012 of this title, including the number of such grant recipients or eligible entities who have submitted a certification under section 2012(c)(1).

[(6)] *(7)* Any other information on those programs and on the provision of such assistance that the Secretary considers appropriate.

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PART III—READJUSTMENT AND RELATED BENEFITS

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CHAPTER 36—ADMINISTRATION OF EDUCATIONAL BENEFITS

SUBCHAPTER I—STATE APPROVING AGENCIES

Sec.
3670. Scope of approval.

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SUBCHAPTER II—MISCELLANEOUS PROVISIONS

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3698. Comprehensive policy on providing education information to veterans.

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SUBCHAPTER II—MISCELLANEOUS PROVISIONS

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§ 3696. Limitation on certain advertising, sales, and enrollment practices

(a) * * *

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(e) The Secretary shall not approve an educational institution if the educational institution provides any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance.

* * * * * * *

§ 3698. Comprehensive policy on providing education information to veterans

(a) COMPREHENSIVE POLICY REQUIRED.—The Secretary shall develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning.

(b) SCOPE.—In developing the policy required by subsection (a), the Secretary shall include each of the following elements:

(1) The most effective way to inform individuals of the educational and vocational counseling provided under section 3697A of this title.

(2) A centralized way to track and publish feedback from students and State approving agencies regarding the quality of instruction and accreditation, recruiting practices, and post-graduation employment placement of institutions of higher learning.

(3) The merit of and the manner in which a State approving agency shares with an accrediting agency or association recognized by the Secretary of Education under subpart 2 of part H of title IV of the Higher Education Act of 1965 (20 U.S.C. 1099b et seq.) information regarding the State approving agency's evaluation of an institution of higher learning.

(4) The manner in which information regarding institutions of higher learning is provided to individuals participating in the Transition Assistance Program under section 1144 of title 10.

(5) The most effective way to provide veterans and members of the Armed Forces with information regarding postsecondary education and training opportunities available to the veteran or member.

(c) POSTSECONDARY EDUCATION INFORMATION.—(1) The Secretary shall ensure that the information provided pursuant to subsection (b)(5) includes—

(A) an explanation of the different types of accreditation available to educational institutions and programs of education;

(B) a description of Federal student aid programs; and

(C) for each institution of higher learning, for the most recent academic year for which information is available—

(i) whether the institution is public, private nonprofit, or proprietary for-profit;

(ii) the name of the national or regional accrediting agency that accredits the institution, including the contact information used by the agency to receive complaints from students;

(iii) information on the State approving agency, including the contact information used by the agency to receive complaints from students;

(iv) whether the institution participates in programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

(v) the tuition and fees;

(vi) the median amount of debt from Federal student loans under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) held by students at institution;

(vii) the cohort default rate, as defined in section 435(m) of the Higher Education Act of 1965 (20 U.S.C. 1085(m)), of the institution;

(viii) the enrollment rates, graduation rates, and retention rates;

(ix) for each program of education offered by the institution that is designed to prepare a student for an occupation that requires a licensure or certification test offered by a Federal, State, or local government or has other preconditions or requirements, the degree to which the program prepares the student for the particular occupation;

(x) whether the institution provides students with technical support, academic support, and other support services, including career counseling and job placement; and

(xi) whether the institution accepts academic credit by students who are transferring to the institution, including credits awarded by a proprietary for-profit institution.

(2) To the extent possible, the Secretary shall provide the information described in paragraph (1) by including hyperlinks on the Internet website of the Department to other websites that contain such information in a form that is comprehensive and easily understood by veterans, members, and other individuals.

(d) DEFINITIONS.—In this section:

(1) The term "institution of higher learning" has the meaning given that term in section 3452(f) of this title.

(2) The term "postsecondary education and training opportunities" means any postsecondary program of education, including apprenticeships and on-job training, for which the Secretary of Veterans Affairs provides assistance to a veteran or member of the Armed Forces.

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CHAPTER 41—JOB COUNSELING, TRAINING, AND PLACEMENT SERVICE FOR VETERANS

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§ 4102A. Assistant Secretary of Labor for Veterans' Employment and Training; program functions; Regional Administrators

(a) * * *

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(c) CONDITIONS FOR RECEIPT OF FUNDS.—(1) * * *

* * * * * * *

(9)(A) As a condition of a grant or contract under which funds are made available to a State in order to carry out section 4103A or 4104 of this title for any program year, the Secretary shall require the State to disclose to the Secretary in writing the following:

(i) Criteria applicants must satisfy to receive a certification or license described in subparagraph (B) by the State.

(ii) A description of the standard practices of the State for evaluating training received by veterans while serving on active duty in the Armed Forces and evaluating the documented work experience of such veterans during such service for purposes of approving or denying a certification or license described in subparagraph (B).

(iii) Identification of areas in which training and experience described in clause (ii) fails to meet criteria described in clause (i).

(B) A certification or license described in this subparagraph is any of the following:

(i) A license to be a nonemergency medical professional.

(ii) A license to be an emergency medical professional.

(iii) Any commercial driver's license.

(C) The Secretary shall share the information the Secretary receives under subparagraph (A)(ii) with the Secretary of Defense to help the Secretary of Defense improve training for military occupational specialties so that individuals who receive such training are

able to receive a certification or license described in subparagraph (B) from a State.

(D) The Secretary shall publish on the Internet website of the Department—

(i) any guidance the Secretary gives the Secretary of Defense with respect to carrying out this section; and

(ii) any information the Secretary receives from a State pursuant to subparagraph (A).

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