

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 1836) TO AMEND TITLE 38, UNITED STATES CODE, TO ENSURE THAT THE TIME DURING WHICH MEMBERS OF THE ARMED FORCES SERVE ON ACTIVE DUTY FOR TRAINING QUALIFIES FOR EDUCATIONAL ASSISTANCE UNDER THE POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 4673) TO AMEND TITLE 38, UNITED STATES CODE, TO PROVIDE FOR THE AUTOMATIC ENROLLMENT OF ELIGIBLE VETERANS IN PATIENT ENROLLMENT SYSTEM OF DEPARTMENT OF VETERANS AFFAIRS, AND FOR OTHER PURPOSES; AND FOR OTHER PURPOSES

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JANUARY 10, 2022.—Referred to the House Calendar and ordered to be printed

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Mr. PERLMUTTER, from the Committee on Rules,  
submitted the following

## R E P O R T

[To accompany H. Res. 860]

The Committee on Rules, having had under consideration House Resolution 860, by a record vote of 8 to 4, report the same to the House with the recommendation that the resolution be adopted.

### SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 1836, the Guard and Reserve GI Bill Parity Act of 2021, under a structured rule. The resolution provides one hour of general debate on the bill equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs or their designees. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117-25 shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution makes in order only those amendments printed in part A of this report. Each further amendment printed in part A of this report shall be considered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put

thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The resolution waives all points of order against the amendments printed in part A of this report. The resolution provides one motion to recommit. The resolution provides for consideration of H.R. 4673, the EVEST Act, under a structured rule. The resolution provides one hour of general debate on the bill equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs or their designees. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117-26 shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides that following debate, each further amendment printed in part B of this report not earlier considered as part of amendments en bloc pursuant to section 5 shall be considered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question. Section 5 of the resolution provides that at any time after debate the chair of the Committee on Veterans' Affairs or his designee may offer amendments en bloc consisting of further amendments printed in part B of this report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Veterans Affairs' or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The resolution waives all points of order against the amendments printed in part B of this report and amendments en bloc described in section 5 of the resolution. The resolution provides for one motion to recommit. The resolution provides that House Resolution 188, agreed to March 8, 2021 (as most recently amended by House Resolution 829, agreed to December 2, 2021), is amended by striking "January 21, 2022" each place it appears and inserting (in each instance) "February 4, 2022".

#### EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of H.R. 1836, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in H.R. 1836, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in part A of this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

The waiver of all points of order against consideration of H.R. 4673 includes waivers of the following:

—Clause 3(c)(4) of rule XIII, which requires committee reports to include a statement of general performance goals and objectives,

including outcome-related goals and objectives for which the measure authorizes funding.

—Clause 3(c)(5) of rule XIII, which requires committee reports on a bill that establish or reauthorize Federal programs to indicate whether any such program is known to be duplicative of another such program.

Although the resolution waives all points of order against provisions in H.R. 4673, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in part B of this report and amendments en bloc described in section 5 of the resolution, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

#### COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

##### *Rules Committee record vote No. 178*

Motion by Mr. Cole to strike the language in the rule that would continue the tolling of days for Resolutions of Inquiry. Defeated: 4–8

Majority Members	Vote	Minority Members	Vote
Mrs. Torres .....	Nay	Mr. Cole .....	Yea
Mr. Perlmutter .....	Nay	Mr. Burgess .....	Yea
Mr. Raskin .....	Nay	Mr. Reschenthaler .....	Yea
Ms. Scanlon .....	Nay	Mrs. Fischbach .....	Yea
Mr. Morelle .....	Nay		
Mr. DeSaulnier .....	Nay		
Ms. Ross .....	Nay		
Mr. Neguse .....	.....		
Mr. McGovern, Chairman .....	Nay		

##### *Rules Committee record vote No. 179*

Motion by Mrs. Fischbach to amend the rule to H.R. 1836 to make in order amendment #3, offered by Rep. Fitzgerald (WI), which ensures members of the Armed Forces granted a general discharge under honorable conditions solely for refusing the COVID 19 vaccine are eligible for GI Bill education benefits. Defeated: 4–8

Majority Members	Vote	Minority Members	Vote
Mrs. Torres .....	Nay	Mr. Cole .....	Yea
Mr. Perlmutter .....	Nay	Mr. Burgess .....	Yea
Mr. Raskin .....	Nay	Mr. Reschenthaler .....	Yea
Ms. Scanlon .....	Nay	Mrs. Fischbach .....	Yea
Mr. Morelle .....	Nay		
Mr. DeSaulnier .....	Nay		
Ms. Ross .....	Nay		
Mr. Neguse .....	.....		
Mr. McGovern, Chairman .....	Nay		

##### *Rules Committee record vote No. 180*

Motion by Mrs. Torres to report the rule. Adopted: 8–4

Majority Members	Vote	Minority Members	Vote
Mrs. Torres .....	Yea	Mr. Cole .....	Nay
Mr. Perlmutter .....	Yea	Mr. Burgess .....	Nay
Mr. Raskin .....	Yea	Mr. Reschenthaler .....	Nay
Ms. Scanlon .....	Yea	Mrs. Fischbach .....	Nay
Mr. Morelle .....	Yea		
Mr. DeSaulnier .....	Yea		
Ms. Ross .....	Yea		
Mr. Neguse .....	.....		
Mr. McGovern, Chairman .....	Yea		

SUMMARY OF THE AMENDMENTS TO H.R. 1836 IN PART A MADE IN  
ORDER

1. Ross (NC), González-Colón, Jenniffer (PR), Bowman (NY), Moore (WI): Requires the VA to inform new veterans of the medical care and services for which they are eligible, including community care under the MISSION Act; mental health care, including the Veterans Crisis Line; care relating to military sexual trauma; and any other information the Secretary deems appropriate. (10 minutes)

2. Moore, Barry (AL), Bost (IL): Replaces the base text of the bill with a fully paid-for expansion of GI Bill benefits to members of the Guard and Reserve who are on Federal Active Duty orders for missions other than training. (10 minutes)

SUMMARY OF THE AMENDMENTS TO H.R. 4673 IN PART B MADE IN  
ORDER

1. Delgado (NY): Allows the VA Secretary to consider mass texting as a way to notify veterans about VA services. (10 minutes)

2. Delgado (NY): Directs GAO to submit a report to Congress determining the best methods for the VA to provide notice of the automatic enrollment in the patient enrollment system. Report must consider different demographics, including age and location. (10 minutes)

3. Escobar (TX): Extends automatic enrollment to Veterans who were discharged within 90 days before the enactment of this Act. (10 minutes)

4. Hayes (CT): Clarifies that notices shall include instructions for how the veteran may elect to enroll at a later date, as well as ensuring that notices be provided via physical mail and, to the extent practical, via electronic mail to ensure veterans are aware of notice and information related to this Act. (10 minutes)

5. Tlaib (MI): Requires a report on the automatic enrollment not later than one year after the first veteran is enrolled to preserve lessons learned from the rollout of this automatic registration program for other agencies and entities that may pursue similar initiatives in the future. (10 minutes)

PART A—TEXT OF AMENDMENTS TO H.R. 1836 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROSS OF NORTH CAROLINA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following new section:

**SEC. 4. PROVISION OF INFORMATION TO VETERANS DURING TRANSITION TO CIVILIAN LIFE.**

(a) **REQUIREMENT.**—In providing information to new veterans regarding benefits administered by the Secretary of Veterans Affairs, the Secretary shall ensure that the information includes the following:

(1) A description of the medical care and services for which the veteran will be eligible under chapter 17 of title 38, United States Code, including with respect to—

- (A) community care under section 1703 of such title;
- (B) mental health care, including how to access the Veterans Crisis Line established under section 1720F(h) of such title; and
- (C) care relating to military sexual trauma (as defined in section 1166 of such title).

(2) Any other information that the Secretary determines appropriate, including information about the services and benefits to which the veteran may be entitled.

(b) **MANNER.**—The Secretary shall provide the information under subsection (a) in a manner that promotes the destigmatization of mental health care and encourages veterans to reach out for support.

**2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MOORE OF ALABAMA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES**

Strike all after the enacting clause and insert the following:

**SECTION 1. EXPANSION OF ELIGIBILITY FOR POST-9/11 EDUCATIONAL ASSISTANCE TO MEMBERS OF THE NATIONAL GUARD WHO PERFORM CERTAIN FULL-TIME DUTY.**

(a) **IN GENERAL.**—Section 3301(1)(C)(ii) of title 38, United States Code, is amended—

- (1) by inserting “(not including training)” after “title 32”; and
- (2) by striking “for the purpose of responding to a national emergency declared by the President and supported by Federal funds”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on October 1, 2022.

**SEC. 2. ADJUSTMENTS OF IRRRL RATE.**

Subparagraph (E) of the loan fee table under section 3729(b)(2) of title 38, United States Code, is amended to read as follows:

“(E)(i) Interest rate reduction refinancing loan (closed on or after July 1, 2022, and before August 8, 2022) .....	0.85	0.85	NA
(ii) Interest rate reduction refinancing loan (closed during a period not covered by clause (i)) .....	0.50	0.50	NA”.

**PART B—TEXT OF AMENDMENTS TO H.R. 4673 MADE IN ORDER**

**1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DELGADO OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES**

Page 1, line 15, insert “(A)” before “Not later”.

Page 1, line 18, strike “(A)” and insert “(i)”.

Page 2, line 1, strike “(B)” and insert “(ii)”.

Page 2, after line 3, insert the following:

“(B) In carrying out subparagraph (A), the Secretary shall consider using, to the extent practical, mass texting capabilities through mobile telephones.”.

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2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DELGADO OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

**SEC. 3. GAO REPORT ON NOTICE OF AUTOMATIC ENROLLMENT IN PATIENT ENROLLMENT SYSTEM OF DEPARTMENT OF VETERANS AFFAIRS.**

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report containing the results of a study to determine the best methods for the Secretary of Veterans Affairs to provide notice under paragraph (2) of subsection (d) of section 1705 of title 38, United States Code, as added by section 2. In making such determination, the Comptroller General shall consider needs of veterans based on—

- (1) age;
- (2) residence in urban areas; and
- (3) residence in rural areas.

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3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ESCOBAR OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 2, line 12, insert after “a veteran” the following: “who is discharged or separated from the Armed Forces on or after the date that is 90 days before the date of the enactment of this Act and”.

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4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HAYES OF CONNECTICUT OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 1, line 15, insert “(A)” before “Not later”.

Page 1, line 18, strike “(A)” and insert “(i)”.

Page 1, line 18, strike “and”.

Page 2, line 1, strike “(B)” and insert “(ii)”.

Page 2, line 3, strike the period and insert “; and”.

Page 2, after line 3, insert the following:

“(iii) instructions for how the veteran may elect to enroll at a later date.

“(B) Any notice or instructions required to be provided under this paragraph shall be provided in the form of a physical copy delivered by mail and, to the extent practical, in the form of an electronic copy delivered by electronic mail.”.

Page 3, after line 5, insert the following:

(d) PROVISION OF NOTICE AND INFORMATION.—The notice and instructions required to be provided under subsection (d)(2) of section 1705 of title 38, United States Code, as added by subsection (a), shall be provided in accordance with the established procedures of

the Department of Veterans Affairs with respect to the provision of similar types of notices and instructions.

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5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TLAIB OF MICHIGAN OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

(d) REPORT ON AUTOMATIC ENROLLMENT.—

(1) IN GENERAL.—Not later than one year after the first veteran is enrolled in the patient enrollment system of the Department of Veterans Affairs under subsection (d) of section 1705 of title 38, United States Code, as added by subsection (a), the Secretary shall submit to Congress a report on the enrollment process under such subsection. Such report shall include each of the following:

(A) A discussion of any anticipated challenges that occurred in implementing such subsection, the strategies used to address such challenges, and the effectiveness of such strategies.

(B) A discussion of any unanticipated challenges that occurred in implementing such subsection, the strategies used to address such challenges, and the effectiveness of such strategies.

(C) Any additional information the Secretary determines appropriate, including information that may be useful to other Federal departments and agencies considering the implementation of similar automatic enrollment programs.

(2) FORM OF REPORT.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.