

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 357
OFFERED BY MR. MILLER OF FLORIDA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the “GI
3 Bill Tuition Fairness Act of 2013”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. References to title 38, United States Code.
- Sec. 3. Approval of courses of education provided by public educational institutions for purposes of educational assistance programs administered by Secretary of Veterans Affairs conditional on in-State tuition rate for veterans.
- Sec. 4. Extension of authorization of appropriations for payment of a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team.
- Sec. 5. Extension of authorization of appropriations for assistance to United States Paralympics, Inc.
- Sec. 6. Clarification of eligibility for services under the Homeless Veterans Reintegration Program.
- Sec. 7. Extension of eligibility period for vocational rehabilitation programs.
- Sec. 8. Work-study allowance.
- Sec. 9. Responsibilities of the Directors of Veterans’ Employment and Training.
- Sec. 10. Contents of Transition Assistance Program.
- Sec. 11. Three-month extension of Veterans Retraining Assistance Program.
- Sec. 12. Increase in rates of disability compensation and dependency and indemnity compensation.
- Sec. 13. Performance awards in the senior executive service.

6 SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

7 Except as otherwise expressly provided, whenever in
8 this Act an amendment or repeal is expressed in terms

1 of an amendment to, or a repeal of, a section or other
2 provision, the reference shall be considered to be made to
3 a section or other provision of title 38, United States
4 Code.

5 **SEC. 3. APPROVAL OF COURSES OF EDUCATION PROVIDED**
6 **BY PUBLIC EDUCATIONAL INSTITUTIONS FOR**
7 **PURPOSES OF EDUCATIONAL ASSISTANCE**
8 **PROGRAMS ADMINISTERED BY SECRETARY**
9 **OF VETERANS AFFAIRS CONDITIONAL ON IN-**
10 **STATE TUITION RATE FOR VETERANS.**

11 (a) IN GENERAL.—Section 3679 is amended by add-
12 ing at the end the following new subsection:

13 “(c) Notwithstanding any other provision of this sub-
14 title, the Secretary or the Secretary’s designee shall dis-
15 approve a course of education provided by a public edu-
16 cational institution unless the institution charges tuition
17 and fees for a veteran at up to the same rate as the insti-
18 tution charges for residents of the State in which the insti-
19 tution is located, regardless of the veteran’s State of resi-
20 dence. The Secretary shall notify the State approving
21 agency of the Secretary’s disapproval of a course of edu-
22 cation under this subsection.”.

23 (b) TREATMENT OF ENROLLED BENEFITS RECIPI-
24 ENTS.—

1 (1) IN GENERAL.—In the case of a veteran or
2 eligible person who is enrolled before July 1, 2015,
3 in a course of education provided by a public edu-
4 cational institution that was approved under chapter
5 36 of title 38, United States Code, at the time of
6 the initial enrollment of the veteran or eligible per-
7 son but that is disapproved by the Secretary of Vet-
8 erans Affairs or the Secretary’s designee by reason
9 of subsection (c) of section 3679 of such title, as
10 added by subsection (a), the Secretary shall treat
11 such institution as an institution that is approved
12 under such chapter for purposes of the laws admin-
13 istered by the Secretary with respect to the veteran
14 or eligible person until the veteran or eligible person
15 completes the program of education in which the
16 veteran or eligible person is enrolled.

17 (2) TERMINATION.—

18 (A) LIMITATION.—Except as provided in
19 subparagraph (B), the Secretary of Veterans
20 Affairs may not treat such an institution as an
21 approved institution under paragraph (1) after
22 July 1, 2019.

23 (B) WAIVER.—The Secretary may waive
24 the limitation under subparagraph (A) if the

1 Secretary determines such a waiver is appro-
2 priate.

3 (c) EFFECTIVE DATE.—Subsection (c) of section
4 3679 of title 38, United States Code, as added by sub-
5 section (a) shall apply with respect to educational assist-
6 ance provided after July 1, 2015.

7 **SEC. 4. EXTENSION OF AUTHORIZATION OF APPROPRIA-**
8 **TIONS FOR PAYMENT OF A MONTHLY ASSIST-**
9 **ANCE ALLOWANCE TO DISABLED VETERANS**
10 **TRAINING OR COMPETING FOR THE**
11 **PARALYMPIC TEAM.**

12 Section 322(d)(4) is amended by striking “2013” and
13 inserting “2018”.

14 **SEC. 5. EXTENSION OF AUTHORIZATION OF APPROPRIA-**
15 **TIONS FOR ASSISTANCE TO UNITED STATES**
16 **PARALYMPICS, INC.**

17 Section 521A is amended—

18 (1) in subsection (g), by striking “2013” and
19 inserting “2018”; and

20 (2) in subsection (l), by striking “2013” and in-
21 serting “2018”.

1 **SEC. 6. CLARIFICATION OF ELIGIBILITY FOR SERVICES**
2 **UNDER THE HOMELESS VETERANS RE-**
3 **INTEGRATION PROGRAM.**

4 Subsection (a) of section 2021 is amended by striking
5 “reintegration of homeless veterans into the labor force.”
6 and inserting the following: “reintegration into the labor
7 force of—”

8 “(1) homeless veterans;

9 “(2) veterans participating in the Department
10 of Veterans Affairs supported housing program for
11 which rental assistance provided pursuant to section
12 8(o)(19) of the United States Housing Act of 1937
13 (42 U.S.C. 1437f(o)(19)); and

14 “(3) veterans who are transitioning from being
15 incarcerated.”.

16 **SEC. 7. EXTENSION OF ELIGIBILITY PERIOD FOR VOCA-**
17 **TIONAL REHABILITATION PROGRAMS.**

18 (a) **EXTENSION.**—Section 3103 is amended by strik-
19 ing “twelve-year period” and inserting “17-year period”
20 each place it appears.

21 (b) **EFFECTIVE DATE.**—The amendment made by
22 subsection (a) shall apply with respect to a veteran apply-
23 ing for assistance under chapter 31 of title 38, United
24 States Code, on or after the date of the enactment of this
25 Act.

1 **SEC. 8. WORK-STUDY ALLOWANCE.**

2 Section 3485(a)(4) is amended by striking “June 30,
3 2013” each place it appears and inserting “June 30,
4 2018”.

5 **SEC. 9. RESPONSIBILITIES OF THE DIRECTORS OF VET-**
6 **ERANS’ EMPLOYMENT AND TRAINING.**

7 Section 4103 is amended—

8 (1) by redesignating subsection (b) as sub-
9 section (c); and

10 (2) by inserting after subsection (a) the fol-
11 lowing new subsection (b):

12 “(b) RESPONSIBILITIES.—Each Director assigned to
13 a State under subsection (a) shall carry out the following
14 responsibilities:

15 “(1) Monitoring the performance of veterans’
16 training and employment programs in the State,
17 with special emphasis on services to disabled vet-
18 erans.

19 “(2) Monitoring the performance of the State
20 workforce agency in complying with section 4212 of
21 this title.

22 “(3) Suggesting to the Assistant Secretary of
23 Labor for Veterans’ Employment and Training cor-
24 rective actions that could be taken by the State
25 workforce agency to address deficiencies in the per-

1 performance of veterans' training and employment pro-
2 grams in the State.

3 “(4) Annually negotiating with the State work-
4 force agency to establish performance goals for vet-
5 erans' training and employment programs in the
6 State.

7 “(5) Reviewing the State's requests for funding
8 for veterans' training and employment programs and
9 providing advice to the State workforce agency and
10 the Assistant Secretary regarding such funding re-
11 quests.

12 “(6) Forwarding complaints regarding possible
13 violations of chapter 43 of this title to the appro-
14 priate Regional Administrator or to the to the As-
15 sistant Secretary, as required.

16 “(7) Carrying out grant officer technical rep-
17 resentative responsibilities for grants issued under
18 programs administered by the Department.

19 “(8) Providing advice to the State workforce
20 agency on strategies to market veterans to employ-
21 ers.

22 “(9) Supervising and managing all support
23 staff, including Assistant Directors, establishing
24 workload priorities, managing all personnel actions,
25 and evaluating all assigned personnel.

1 “(10) Submitting to the Assistant Secretary
2 regular reports on the matters described in para-
3 graphs (1), (2), (4), and (8), and any other matters
4 the Assistant Secretary determine appropriate.

5 “(11) Performing such other related duties as
6 directed by the Assistant Secretary.”.

7 **SEC. 10. CONTENTS OF TRANSITION ASSISTANCE PRO-**
8 **GRAM.**

9 (a) IN GENERAL.—Section 1144 of title 10, United
10 States Code, is amended—

11 (1) in subsection (b), by adding at the end the
12 following new paragraph:

13 “(9) Provide information about disability-re-
14 lated employment and education protections.”.

15 (2) by redesignating subsections (c), (d), and
16 (e), as subsections (d), (e), and (f), respectively; and

17 (3) by inserting after subsection (b) the fol-
18 lowing new subsection (c):

19 “(c) ADDITIONAL ELEMENTS OF PROGRAM.—The
20 mandatory program carried out by this section shall in-
21 clude—

22 “(1) for any such member who plans to use the
23 member’s entitlement to educational assistance
24 under title 38—

1 “(A) instruction providing an overview of
2 the use of such entitlement; and

3 “(B) testing to determine academic readi-
4 ness for post-secondary education, courses of
5 post-secondary education appropriate for the
6 member, courses of post-secondary education
7 compatible with the member’s education goals,
8 and instruction on how to finance the member’s
9 post-secondary education; and

10 “(2) instruction in the benefits under laws ad-
11 ministered by the Secretary of Veterans Affairs and
12 in other subjects determined by the Secretary con-
13 cerned.”.

14 (b) DEADLINE FOR IMPLEMENTATION.—The pro-
15 gram carried out under section 1144 of title 10, United
16 States Code, shall comply with the requirements of sub-
17 sections (b)(9) and (c) of such section, as added by sub-
18 section (a), by not later than April 1, 2015.

19 (c) FEASIBILITY STUDY.—Not later than 270 days
20 after the date of the enactment of this Act, the Secretary
21 of Veterans Affairs shall submit to the Committees on
22 Veterans’ Affairs of the Senate and House of Representa-
23 tives the results of a study carried out by the Secretary
24 to determine the feasibility of providing the instruction de-
25 scribed in subsection (b) of section 1142 of title 10,

1 United States Code, at all overseas locations where such
2 instruction is provided by entering into a contract jointly
3 with the Secretary of Labor for the provision of such in-
4 struction.

5 **SEC. 11. THREE-MONTH EXTENSION OF VETERANS RE-**
6 **TRAINING ASSISTANCE PROGRAM.**

7 (a) EXTENSION.—Section 211 of the VOW to Hire
8 Heroes Act of 2011 (Public Law 112–56; 125 Stat. 713;
9 38 U.S.C. 4100 note) is amended—

10 (1) in subsection (a)(2)(B), by striking “March
11 31, 2014” and inserting “June 30, 2014”; and

12 (2) in subsection (k), by striking “March 31,
13 2014” and inserting “June 30, 2014”.

14 (b) INTERIM REPORT.—

15 (1) REPORT REQUIRED.—Not later than 30
16 days after the date of the enactment of this Act, the
17 Secretary of Veterans Affairs, in collaboration with
18 the Secretary of Labor, shall submit to the appro-
19 priate committees of Congress an interim report on
20 the retraining assistance provided under section 211
21 of the VOW to Hire Heroes Act of 2011 (Public
22 Law 112–56; 125 Stat. 713; 38 U.S.C. 4100 note).

23 (2) ELEMENTS.—The report required by para-
24 graph (1) shall include the following:

25 (A) The total number of—

1 (i) eligible veterans who have partici-
2 pated in the program established under
3 such section as of the date of the enact-
4 ment of this Act; and

5 (ii) associates degrees or certificates
6 awarded (or other similar evidence of the
7 completion of the program of education or
8 training earned) to veterans participating
9 in the program established under such sec-
10 tion as of such date.

11 (B) Data related to the employment status
12 of eligible veterans who participated in such
13 program.

14 **SEC. 12. INCREASE IN RATES OF DISABILITY COMPENSA-**
15 **TION AND DEPENDENCY AND INDEMNITY**
16 **COMPENSATION.**

17 (a) **RATE ADJUSTMENT.**—Effective on December 1,
18 2013, the Secretary of Veterans Affairs shall increase, in
19 accordance with subsection (c), the dollar amounts in ef-
20 fect on November 30, 2013, for the payment of disability
21 compensation and dependency and indemnity compensa-
22 tion under the provisions specified in subsection (b).

23 (b) **AMOUNTS TO BE INCREASED.**—The dollar
24 amounts to be increased pursuant to subsection (a) are
25 the following:

1 (1) WARTIME DISABILITY COMPENSATION.—
2 Each of the dollar amounts under section 1114 of
3 title 38, United States Code.

4 (2) ADDITIONAL COMPENSATION FOR DEPEND-
5 ENTS.—Each of the dollar amounts under section
6 1115(1) of such title.

7 (3) CLOTHING ALLOWANCE.—The dollar
8 amount under section 1162 of such title.

9 (4) DEPENDENCY AND INDEMNITY COMPENSA-
10 TION TO SURVIVING SPOUSE.—Each of the dollar
11 amounts under subsections (a) through (d) of sec-
12 tion 1311 of such title.

13 (5) DEPENDENCY AND INDEMNITY COMPENSA-
14 TION TO CHILDREN.—Each of the dollar amounts
15 under sections 1313(a) and 1314 of such title.

16 (c) DETERMINATION OF INCREASE.—

17 (1) PERCENTAGE.—Except as provided in para-
18 graph (2), each dollar amount described in sub-
19 section (b) shall be increased by the same percentage
20 as the percentage by which benefit amounts payable
21 under title II of the Social Security Act (42 U.S.C.
22 401 et seq.) are increased effective December 1,
23 2012, as a result of a determination under section
24 215(i) of such Act (42 U.S.C. 415(i)).

Amend the title so as to read: “To amend title 38, United States Code, to require courses of education provided by public institutions of higher education that are approved for purposes of the educational assistance programs administered by the Secretary of Veterans Affairs to charge veterans tuition and fees at the in-State tuition rate, to make other improvements in the laws relating to benefits administered by the Secretary of Veterans Affairs, and for other purposes.”.

