

VETERANS RETRAINING ACT OF 2009

NOVEMBER 2, 2009.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. FILNER, from the Committee on Veterans' Affairs,
submitted the following

R E P O R T

[To accompany H.R. 1168]

[Including cost estimate of the Congressional Budget Office]

The Committee on Veterans' Affairs, to whom was referred the bill (H.R. 1168) to amend chapter 42 of title 38, United States Code, to provide certain veterans with employment training assistance, 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	2
Background and Need for Legislation	2
Hearings	3
Subcommittee Consideration	4
Committee Consideration	4
Committee Votes	4
Committee Oversight Findings	4
Statement of General Performance Goals and Objectives	4
New Budget Authority, Entitlement Authority, and Tax Expenditures	5
Earmarks and Tax and Tariff Benefits	5
Committee Cost Estimate	5
Congressional Budget Office Estimate	5
Federal Mandates Statement	6
Advisory Committee Statement	6
Constitutional Authority Statement	6
Applicability to Legislative Branch	7
Section-by-Section Analysis of the Legislation	7
Changes in Existing Law Made by the Bill as Reported	7

AMENDMENT

The amendment is as follows:
Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Veterans Retraining Act of 2009”.

SEC. 2. EMPLOYMENT TRAINING ASSISTANCE.

(a) IN GENERAL.—Chapter 42 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 4216. Employment Training Assistance for Unemployed Veterans.

“(a) MONTHLY TRAINING ASSISTANCE ALLOWANCE.—Subject to the availability of appropriations for such purpose, the Secretary of Labor may pay to each covered veteran a monthly training assistance allowance under this section for each month that a covered veteran is enrolled in an employment and training program that teaches a skill in demand, as determined by the Secretary.

“(b) AMOUNT.—The amount of the training assistance allowance under this section is the amount equal to the monthly amount of the basic allowance for housing payable under section 403 of title 37 for a member of the Armed Forces with dependents in pay grade E–5 residing in the military housing area that encompasses all or the majority portion of the ZIP code area in which the veteran resides.

“(c) DURATION.—A covered veteran may receive training assistance under this section for not more than six months during each 10-year period beginning on the date in which the covered veteran first receives training allowance under this section.

“(d) MOVING STIPEND.—Subject to the availability of appropriations for such purpose, in addition to the training assistance allowance payable under subsection (a), the Secretary may reimburse each covered veteran, in an amount not to exceed \$5,000, for moving expenses related to the veteran’s receipt of training for which an allowance is paid under this section.

“(e) COVERED VETERAN DEFINED.—In this section, the term ‘covered veteran’ means a veteran who is—

“(1) unemployed for a period of not less than four consecutive months at the time of applying for training assistance under this section;

“(2) able to successfully complete the employment and training program described in subsection (a), as determined by the Secretary; and

“(3) except as provided under this section, ineligible for education or training assistance under this title.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$100,000,000 for each fiscal year.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 42 of title 38, United States Code, is amended by adding at the end the following new item:

“4216. Employment training assistance for unemployed veterans.”.

(c) EFFECTIVE DATE.—Section 4216 of title 38, United States Code, as added by subsection (a), shall apply with respect to months beginning on or after the first day of fiscal year 2011.

PURPOSE AND SUMMARY

H.R. 1168 was introduced by Representative John Boozman of Arkansas, the Ranking Member of the Subcommittee on Economic Opportunity, on February 25, 2009. H.R. 1168, as amended, would authorize the Secretary of the U.S. Department of Labor, subject to the availability of appropriations, to provide a monthly training assistance allowance and a moving stipend to certain veterans.

BACKGROUND AND NEED FOR LEGISLATION

Federal, State, and local governments have long recognized the need to promote the employment of veterans through preferential hiring practices, education, and training programs. Such programs include the G.I. Bill, the Department of Veterans Affairs’ (VA’s) Vocational Rehabilitation and Employment (VR&E) program, and

placement programs such as those operated by State employment services. These State employment services are funded through the Department of Labor's (DOL) Veterans Employment and Training Service (VETS). State and local governments also offer veterans preferential hiring as well as education and training programs such as tuition discounts at institutions of higher learning.

Unemployment statistics from the Bureau of Labor Statistics for September 2009 show that 990,000 veterans are unemployed. Of that number, 596,000 are between 35 and 64 years old. Because veterans in this age range generally have no access to training programs through title 38 programs such as the G.I. Bill, the stipend and moving allowances of H.R. 1168 would make it easier for these veterans to participate in retraining programs.

Until passage of the Post 9/11 G.I. Bill in June 2008 as part of the Supplemental Appropriations Act, 2008 (Public Law 110-252 (122 Stat. 2323)) most veterans had 10 years from honorable discharge to obtain their education and training through older programs such as the Montgomery G.I. Bill. As a result, most veterans between the ages of 35 and 65 have very limited access to programs dedicated to improving veterans' marketable skills because they have either used their benefits or now exceed the statutory delimiting dates. However, there are other Federal training programs that are available to veterans on a priority basis.

H.R. 1168 is intended to facilitate an increased number of veterans in the DOL's Employment and Training Administration programs, especially those no longer eligible for education or training under title 38, United States Code. H.R. 1168 focuses on assisting veterans who are in their prime earning years and who are most likely to have significant financial obligations related to raising a family. By paying a monthly living stipend equal to that paid to an E-5 with dependents, a rate which varies by zip code and ranges from \$785 to over \$2,800 per month, unemployed veterans will find it easier to participate in training. Additionally, H.R. 1168 would pay up to \$5,000 to defray moving expenses following training when a veteran needs to move to an area where the veteran's new skills are in demand. By limiting eligibility for the living stipend and relocation assistance, H.R. 1168 would apply scarce resources to the population of veterans with the most need and the fewest options. The DOL should implement these provisions as quickly as possible to begin paying such benefits as soon as funding is available.

The Committee is aware that the DOL collects data related to job markets and for current and future skills. The Committee expects the DOL to use such data as a guide to determine whether certain skill training would be eligible for the assistance. However, such data shall not be used as the exclusive means to determine eligibility.

HEARINGS

On May 21, 2009, the Subcommittee on Economic Opportunity held a legislative hearing on a number of bills introduced in the 111th Congress, including H.R. 1168. The following witnesses testified: The Honorable Mike Coffman of Colorado; Richard Daley, Associate Legislation Director, Paralyzed Veterans of America; John L. Wilson, Associate National Legislative Director, Disabled Amer-

ican Veterans; Mark Seavey, Assistant Director, National Legislative Commission, The American Legion; Raymond C. Kelley, National Legislative Director, AMVETS; Cpl. Wade J. Spann, USMC, Alumni, Wounded Warrior Project; Keith M. Wilson, Director, Education Service, Veterans Benefits Administration, U.S. Department of Veterans Affairs, accompanied by John Brizzi, Deputy Assistant General Counsel, U.S. Department of Veterans Affairs; and John C. McWilliam, Deputy Assistant Secretary, Veterans' Employment and Training Service, U.S. Department of Labor. Submitting a statement for the record included: The Honorable Bob Filner of California.

SUBCOMMITTEE CONSIDERATION

On October 8, 2009, the Subcommittee on Economic Opportunity met in open markup session and ordered favorably forwarded to the full Committee H.R. 1168, as amended, by voice vote. During consideration of the bill the following amendment in the nature of a substitute was considered:

An amendment in the nature of a substitute by Mr. Boozman of Arkansas to clarify that the monthly training assistance allowance and moving stipend were subject to the availability of appropriations and did not create a new entitlement resulting in mandatory spending was agreed to by voice vote.

COMMITTEE CONSIDERATION

On October 28, 2009, the full Committee met in an open markup session, a quorum being present, and ordered H.R. 1168, 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. Boozman of Arkansas to add an effective date of fiscal year 2011 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 record votes on the motion to report the legislation and amendments thereto. There were no record votes taken on amendments or in connection with ordering H.R. 1168 reported to the House. A motion by Mr. Buyer of Indiana to order H.R. 1168, 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. 1168 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) 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. 1168 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. 1168 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, October 29, 2009.

Hon. BOB FILNER,
*Chairman, Committee on Veterans' Affairs,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1168, the Veterans Retraining Act of 2009.

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

Sincerely,

DOUGLAS W. ELMENDORF,
Director.

Enclosure.

H.R. 1168—Veterans Retraining Act of 2009

Summary: H.R. 1168 would authorize the appropriation of \$100 million a year for the Department of Labor, beginning in fiscal year 2011, to provide training assistance for unemployed veterans. Assuming appropriation of the authorized amounts, CBO estimates that implementing the legislation would cost \$350 million over the 2010–2014 period. Enacting the legislation would not affect direct spending or revenues.

H.R. 1168 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 1168 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—					
	2010	2011	2012	2013	2014	2010–2014
Authorization Level	0	100	100	100	100	400
Estimated Outlays	0	50	100	100	100	350

Basis of estimate: H.R. 1168 would authorize the Department of Labor to provide training assistance to veterans who have been unemployed for at least four months and are ineligible for education and training programs administered by the Department of Veterans Affairs. Veterans participating in training programs would receive a monthly assistance allowance of about \$1,400 for up to six months and a moving stipend of up to \$5,000, if applicable. The bill would authorize \$100 million for this program each year. At that authorization level, CBO estimates that approximately 13,000 veterans would participate in this program each year and that they would receive assistance averaging around \$7,500 per person. CBO estimates that implementing H.R. 1168 would cost \$350 million over the 2010–2014 period, assuming appropriation of the authorized amounts.

Intergovernmental and private-sector impact: H.R. 1168 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

Estimate prepared by: Federal costs: Christina Hawley Anthony and Camille Woodland; 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. 1168 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. 1168.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds that the Constitutional authority for H.R. 1168 is provided by Article I, section 8 of the Constitution 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. Short title

This section would provide the short title of H.R. 1168, as amended, as the “Veterans Retraining Act of 2009.”

Section 2. Employment Training Assistance

This section amends title 38, United States Code, by adding a new section 4216 titled “Employment Training Assistance for Unemployed Veterans.” This new section would authorize, subject to the availability of appropriations for such purpose, the Secretary of Labor to pay a monthly training assistance allowance to covered veterans who are participating in employment and training programs that increase the veteran’s skills that are in demand, as determined by the Secretary. The number of months of assistance in any 10-year period would be limited to six months.

This new section would authorize the Secretary of Labor, subject to the availability of appropriations for such purpose, to reimburse a covered veteran for up to \$5,000 for expenses related to the training. A covered veteran who is eligible for assistance is defined as a veteran who has been unemployed for not less than four months at the time of application, capable of completing the desired training, and not eligible for other training or education under title 38, United States Code.

This new section would authorize an annual appropriation of \$100,000,000. This new section would apply with respect to months beginning on or after the first day of fiscal year 2011.

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 (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

TITLE 38, UNITED STATES CODE

* * * * *

PART III—READJUSTMENT AND RELATED BENEFITS

* * * * *

CHAPTER 42—EMPLOYMENT AND TRAINING OF VETERANS

Sec.

4211. Definitions.

* * * * *

4216. *Employment training assistance for unemployed veterans.*

* * * * *

§ 4216. *Employment Training Assistance for Unemployed Veterans.*

(a) *MONTHLY TRAINING ASSISTANCE ALLOWANCE.*—Subject to the availability of appropriations for such purpose, the Secretary of Labor may pay to each covered veteran a monthly training assistance allowance under this section for each month that a covered veteran is enrolled in an employment and training program that teaches a skill in demand, as determined by the Secretary.

(b) *AMOUNT.*—The amount of the training assistance allowance under this section is the amount equal to the monthly amount of the basic allowance for housing payable under section 403 of title 37 for a member of the Armed Forces with dependents in pay grade E-5 residing in the military housing area that encompasses all or the majority portion of the ZIP code area in which the veteran resides.

(c) *DURATION.*—A covered veteran may receive training assistance under this section for not more than six months during each 10-year period beginning on the date in which the covered veteran first receives training allowance under this section.

(d) *MOVING STIPEND.*—Subject to the availability of appropriations for such purpose, in addition to the training assistance allowance payable under subsection (a), the Secretary may reimburse each covered veteran, in an amount not to exceed \$5,000, for moving expenses related to the veteran’s receipt of training for which an allowance is paid under this section.

(e) *COVERED VETERAN DEFINED.*—In this section, the term “covered veteran” means a veteran who is—

(1) unemployed for a period of not less than four consecutive months at the time of applying for training assistance under this section;

(2) able to successfully complete the employment and training program described in subsection (a), as determined by the Secretary; and

(3) except as provided under this section, ineligible for education or training assistance under this title.

(f) *AUTHORIZATION OF APPROPRIATIONS.*—There is authorized to be appropriated to carry out this section \$100,000,000 for each fiscal year.

* * * * *