

making simple handrails and wall switches and window controls easy and accessible to these folks so they can operate, and installing elevators and stair lifts, which will help many of the veterans who are in wheelchairs.

This grant is distinct from the specifically adapted housing grants that are also available to service-connected disabled veterans. The HISA grant can also be used in addition to these grants.

Unfortunately, the HISA grant ceiling has not been raised in 17 years; yet the cost of home modification, as we all know, has increased over the years.

In addition, there is a new generation of veterans from Operation Enduring Freedom and Operation Iraqi Freedom returning home with serious combat injuries.

VA reports that the number of service-connected veterans using the HISA grants grew by almost 20 percent from fiscal year 2000 to 2008, and VA expects that the trend will continue to increase at the average of 1½ percent per year.

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Under current law the maximum HISA grant is \$4,100 for service-connected veterans and \$1,200 for non-service-connected veterans. H.R. 1293 would simply raise the amounts to \$6,800 for service-connected veterans and \$2,000 for non-service-connected veterans. The proposed increase would account for inflation and simply provide a reasonable amount for the type of home modifications Congress intended the program to provide for these service-connected veterans.

H.R. 1293 is a bipartisan bill that is supported by the VA and the Veterans Service Organizations, and I urge my colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. FILNER. Mr. Speaker, I yield such time as he may consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA), a great supporter of veterans in our Nation.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. I certainly want to thank the chairman of our House Veterans' Affairs Committee, the gentleman from California, Chairman FILNER, and my good friend from Florida on the other side for aisle for their management. And I also commend the ranking member of the Veterans' Affairs Committee, the gentleman from Indiana (Mr. BUYER), for his sponsorship of this important bill.

Mr. Speaker, H.R. 1293 would increase the amount authorized by the Department of Veterans Affairs under the Health Improvement and Structural Alterations, HISA, from \$4,100 to \$6,800 for improvements and structural alterations for homes of veterans with service-related disabilities of 50 percent or more, and from \$1,200 to \$2,000 for veterans with service-connected disabilities less than 50 percent.

Mr. Speaker, HISA continues to provide for our veterans necessary funding for structural and home improvements

such as widening doors; putting in handrails or special lighting; making kitchens, bathrooms, windows, electrical outlets and switches more accessible; and building ramps or improving entrance paths and driveways. These structural and home improvements are needed to meet the needs of our disabled veterans.

HISA was created in 1973 out of concern for disabled veterans returning to their homes without proper accommodations. In 1976 there was a ceiling placed, and veterans with service-connected disabilities were receiving \$2,500 and veterans with nonservice-related disabilities received only \$600. In 1992, public law increased the lifetime benefit limit from \$2,500 to \$4,100 for service-connected veterans and from \$600 to \$1,200 to nonservice-connected veterans.

Today the ceiling has been in the process for 17 years even though the costs for home modifications have increased tremendously. No one deserves to prolong their suffering. I believe that this must be addressed to show our continued appreciation for their service and all the accommodations to serve their disabilities should be made.

Mr. Speaker, with the new generation of soldiers returning from Operation Enduring Freedom and Operation Iraqi Freedom, this increase is significantly necessary. Our servicemembers have served our country at its time of greatest need and have protected our Nation's best interests, and I believe we should take care of their needs and interests when they return home.

This legislation is necessary, and I urge my colleagues to support this bill.

Mr. STEARNS. Mr. Speaker, in closing, I would like to take the opportunity to thank the chairman and ranking member of the Subcommittee on Health, MIKE MICHAUD of Maine and HENRY BROWN of South Carolina, for their quick consideration of this legislation. I would also like to express my gratitude to the chairman, Mr. FILNER, and Ranking Member BUYER for moving this bill to the floor so quickly.

I urge my colleagues to support H.R. 1293.

Mr. Speaker, I yield back the balance of my time.

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1293.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BUYER. Mr. Speaker, I rise in support of H.R. 1293, the Disabled Veterans Home Improvement and Structural Alteration Grant Increase Act of 2009.

H.R. 1293 is a bill I introduced to increase the amount payable to a disabled veteran under the Department of Veterans Affairs, VA, Home Improvement and Structural Alteration Program.

Known as the HISA grant, this is a significant benefit that provides seriously disabled veterans the ability to make home alterations to receive in-home medical care.

Congress first authorized VA to establish the HISA program as part of outpatient care for home health services in 1973. The benefit is paid from the medical care appropriation and is available to both veterans with service-connected and non-service connected disabilities. A service-connected veteran can receive a HISA grant in addition to other home adaptations grants available through the Veterans Benefits Administration.

We have been engaged in the Global War on Terror for nearly eight years and are seeing an increasing number of servicemembers returning from Iraq and Afghanistan utilizing VA health care.

Last year, a joint Department of Defense, DOD, and VA Inspectors General review of the care transition process for injured OEF/OIF service members found that continuity of care was hindered by the inability of an injured active duty service member to obtain a HISA grant prior to discharge. Responding to this need, we enacted Public Law 110-289 to allow VA to provide such grants to eligible service members prior to their discharge from military service.

However, we did not raise the amount of the grant which is currently \$4,100 for service-connected veterans and \$1,200 for non-service connected veterans. In fact, the ceiling has not been raised since 1992.

H.R. 1293 would raise the maximum amount of a HISA grant to \$6,800 for service-connected veterans and \$2,000 for non-service connected veterans. The proposed increase reflects an additional 3 percent for each year since 1992 to account for inflation and the increased cost of making home improvements—a long overdue 66 percent increase.

It is important that we make sure that VA benefits, such as the HISA grant stay relevant and adequately meet the needs of today's veterans.

I urge my colleagues to support H.R. 1293. It is a good bill that shares bipartisan support.

Mr. FILNER. I urge my colleagues to unanimously support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 1293.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. STEARNS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

VETERANS NONPROFIT RESEARCH AND EDUCATION CORPORATIONS ENHANCEMENT ACT OF 2009

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2770) to amend title 38, United States Code, to modify and update provisions of law relating to nonprofit research and education corporations, and for other purposes, as amended.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 2770

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Veterans Non-profit Research and Education Corporations Enhancement Act of 2009”.

SEC. 2. GENERAL AUTHORITIES ON ESTABLISHMENT OF CORPORATIONS.

(a) AUTHORIZATION OF MULTI-MEDICAL CENTER RESEARCH CORPORATIONS.—

(1) IN GENERAL.—Section 7361 of title 38, United States Code, is amended—

(A) by redesignating subsection (b) as subsection (e); and

(B) by inserting after subsection (a) the following new subsection (b):

“(b)(1) Subject to paragraph (2), a corporation established under this subchapter may facilitate the conduct of research, education, or both at more than one medical center. Such a corporation shall be known as a ‘multi-medical center research corporation’.

“(2) The board of directors of a multi-medical center research corporation under this subchapter shall include the official at each Department medical center concerned who is, or who carries out the responsibilities of, the medical center director of such center as specified in section 7363(a)(1)(A)(i) of this title.

“(3) In facilitating the conduct of research, education, or both at more than one Department medical center under this subchapter, a multi-medical center research corporation may administer receipts and expenditures relating to such research, education, or both, as applicable, performed at the Department medical centers concerned.”.

(2) EXPANSION OF EXISTING CORPORATIONS TO MULTI-MEDICAL CENTER RESEARCH CORPORATIONS.—Such section is further amended by adding at the end the following new subsection:

“(f) A corporation established under this subchapter may act as a multi-medical center research corporation under this subchapter in accordance with subsection (b) if—

“(1) the board of directors of the corporation approves a resolution permitting facilitation by the corporation of the conduct of research, education, or both at the other Department medical center or medical centers concerned; and

“(2) the Secretary approves the resolution of the corporation under paragraph (1).”.

(b) RESTATEMENT AND MODIFICATION OF AUTHORITIES ON APPLICABILITY OF STATE LAW.—

(1) IN GENERAL.—Section 7361 of such title, as amended by subsection (a) of this section, is further amended by inserting after subsection (b) the following new subsection (c):

“(c) Any corporation established under this subchapter shall be established in accordance with the nonprofit corporation laws of the State in which the applicable Department medical center is located and shall, to the extent not inconsistent with any Federal law, be subject to the laws of such State. In the case of any multi-medical center research corporation that facilitates the conduct of research, education, or both at Department medical centers located in different States, the corporation shall be established in accordance with the nonprofit corporation laws of the State in which one of such Department medical centers is located.”.

(2) CONFORMING AMENDMENT.—Section 7365 of such title is repealed.

(c) CLARIFICATION OF STATUS OF CORPORATIONS.—Section 7361 of such title, as amended by this section, is further amended—

(1) in subsection (a), by striking the second sentence; and

(2) by inserting after subsection (c) the following new subsection (d):

“(d)(1) Except as otherwise provided in this subchapter or under regulations prescribed by

the Secretary, any corporation established under this subchapter, and its officers, directors, and employees, shall be required to comply only with those Federal laws, regulations, and executive orders and directives that apply generally to private nonprofit corporations.

“(2) A corporation under this subchapter is not—

“(A) owned or controlled by the United States; or

“(B) an agency or instrumentality of the United States.”.

(d) REINSTATEMENT OF REQUIREMENT FOR 501(C)(3) STATUS OF CORPORATIONS.—Subsection (e) of section 7361 of such title, as redesignated by subsection (a)(1) of this section, is further amended by inserting “section 501(c)(3) of” after “exempt from taxation under”.

SEC. 3. CLARIFICATION OF PURPOSES OF CORPORATIONS.

(a) CLARIFICATION OF PURPOSES.—Subsection (a) of section 7362 of title 38, United States Code, is amended in the first sentence—

(1) by striking “Any corporation” and all that follows through “facilitate” and inserting “A corporation established under this subchapter shall be established to provide a flexible funding mechanism for the conduct of approved research and education at one or more Department medical centers and to facilitate functions related to the conduct of”; and

(2) by inserting before the period at the end the following: “or centers”.

(b) MODIFICATION OF DEFINED TERM RELATING TO EDUCATION AND TRAINING.—Subsection (b) of such section is amended in the matter preceding paragraph (1) by striking “the term ‘education and training’” and inserting “the term ‘education’ includes education and training and”.

(c) REPEAL OF ROLE OF CORPORATIONS WITH RESPECT TO FELLOWSHIPS.—Paragraph (1) of subsection (b) of such section is amended by striking the flush matter following subparagraph (C).

(d) AVAILABILITY OF EDUCATION FOR FAMILIES OF VETERAN PATIENTS.—Paragraph (2) of subsection (b) of such section is amended by striking “to patients and to the families” and inserting “and includes education and training for patients and families”.

SEC. 4. MODIFICATION OF REQUIREMENTS FOR BOARDS OF DIRECTORS OF CORPORATIONS.

(a) REQUIREMENTS FOR DEPARTMENT BOARD MEMBERS.—Paragraph (1) of section 7363(a) of title 38, United States Code, is amended to read as follows:

“(1) with respect to the Department medical center—

“(A)(i) the director (or directors of each Department medical center, in the case of a multi-medical center research corporation);

“(ii) the chief of staff; and

“(iii) as appropriate for the activities of such corporation, the associate chief of staff for research and the associate chief of staff for education; or

“(B) in the case of a Department medical center at which one or more of the positions referred to in subparagraph (A) do not exist, the official or officials who are responsible for carrying out the responsibilities of such position or positions at the Department medical center; and”.

(b) REQUIREMENTS FOR NON-DEPARTMENT BOARD MEMBERS.—Paragraph (2) of such section is amended—

(1) by inserting “not less than two” before “members”; and

(2) by striking “and who” and all that follows through the period at the end and inserting “and who have backgrounds, or business, legal, financial, medical, or scientific expertise, of benefit to the operations of the corporation.”.

(c) CLARIFICATION THAT DEPARTMENT EMPLOYEES MAY SERVE AS EXECUTIVE DIRECTORS.—Subsection (b) of section 7363 of such

title is amended in the first sentence, by inserting after “executive director who” the following: “may be an employee of the Department and who”.

(d) CONFLICTS OF INTEREST.—Subsection (c) of section 7363 of such title is amended by striking “, employed by, or have any other financial relationship with” and inserting “or employed by”.

SEC. 5. CLARIFICATION OF POWERS OF CORPORATIONS.

(a) IN GENERAL.—Section 7364 of title 38, United States Code, is amended to read as follows:

“§ 7364. General powers

“(a) IN GENERAL.—(1) A corporation established under this subchapter may, solely to carry out the purposes of this subchapter—

“(A) accept, administer, retain, and spend funds derived from gifts, contributions, grants, fees, reimbursements, and bequests from individuals and public and private entities;

“(B) enter into contracts and agreements with individuals and public and private entities;

“(C) subject to paragraph (2), set fees for education and training facilitated under section 7362 of this title, and receive, retain, administer, and spend funds in furtherance of such education and training;

“(D) reimburse amounts to the applicable appropriation account of the Department for the Office of General Counsel for any expenses of that Office in providing legal services attributable to research and education agreements under this subchapter; and

“(E) employ such employees as the corporation considers necessary for such purposes and fix the compensation of such employees.

“(2) Fees charged pursuant to paragraph (1)(C) for education and training described in that paragraph to individuals who are officers or employees of the Department may not be paid for by any funds appropriated to the Department.

“(3) Amounts reimbursed to the Office of General Counsel under paragraph (1)(D) shall be available for use by the Office of the General Counsel only for staff and training, and related travel, for the provision of legal services described in that paragraph and shall remain available for such use without fiscal year limitation.

“(b) TRANSFER AND ADMINISTRATION OF FUNDS.—(1) Except as provided in paragraph (2), any funds received by the Secretary for the conduct of research or education at a Department medical center or centers, other than funds appropriated to the Department, may be transferred to and administered by a corporation established under this subchapter for such purposes.

“(2) A Department medical center may reimburse the corporation for all or a portion of the pay, benefits, or both of an employee of the corporation who is assigned to the Department medical center if the assignment is carried out pursuant to subchapter VI of chapter 33 of title 5.

“(3) A Department medical center may retain and use funds provided to it by a corporation established under this subchapter. Such funds shall be credited to the applicable appropriation account of the Department and shall be available, without fiscal year limitation, for the purposes of that account.

“(c) RESEARCH PROJECTS.—Except for reasonable and usual preliminary costs for project planning before its approval, a corporation established under this subchapter may not spend funds for a research project unless the project is approved in accordance with procedures prescribed by the Under Secretary for Health for research carried out with Department funds. Such procedures shall include a scientific review process.

“(d) EDUCATION ACTIVITIES.—Except for reasonable and usual preliminary costs for activity

planning before its approval, a corporation established under this subchapter may not spend funds for an education activity unless the activity is approved in accordance with procedures prescribed by the Under Secretary for Health.

“(e) POLICIES AND PROCEDURES.—The Under Secretary for Health may prescribe policies and procedures to guide the spending of funds by corporations established under this subchapter that are consistent with the purpose of such corporations as flexible funding mechanisms and with Federal and State laws and regulations, and executive orders, circulars, and directives that apply generally to the receipt and expenditure of funds by nonprofit organizations exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986.”

(b) CONFORMING AMENDMENT.—Section 7362(a) of such title, as amended by section 3(a)(1) of this Act, is further amended by striking the last sentence.

SEC. 6. REDESIGNATION OF SECTION 7364A OF TITLE 38, UNITED STATES CODE.

(a) REDESIGNATION.—Section 7364A of title 38, United States Code, is redesignated as section 7365 of such title.

(b) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 73 of such title is amended—

(1) by striking the item relating to section 7364A; and

(2) by striking the item relating to section 7365 and inserting the following new item:

“7365. Coverage of employees under certain Federal tort claims laws.”

SEC. 7. IMPROVED ACCOUNTABILITY AND OVERSIGHT OF CORPORATIONS.

(a) ADDITIONAL INFORMATION IN ANNUAL REPORTS.—Subsection (b) of section 7366 of title 38, United States Code, is amended to read as follows:

“(b)(1) Each corporation shall submit to the Secretary each year a report providing a detailed statement of the operations, activities, and accomplishments of the corporation during that year.

“(2)(A) A corporation with revenues in excess of \$500,000 for any year shall obtain an audit of the corporation for that year.

“(B) A corporation with annual revenues between \$100,000 and \$500,000 shall obtain an audit of the corporation at least once every three years.

“(C) Any audit under this paragraph shall be performed by an independent auditor.

“(3) The corporation shall include in each report to the Secretary under paragraph (1) the following:

“(A) The most recent audit of the corporation under paragraph (2).

“(B) The most recent Internal Revenue Service Form 990 ‘Return of Organization Exempt from Income Tax’ or equivalent and the applicable schedules under such form.”

(b) CONFLICT OF INTEREST POLICIES.—Subsection (c) of such section is amended to read as follows:

“(c) Each director, officer, and employee of a corporation established under this subchapter shall be subject to a conflict of interest policy adopted by that corporation.”

(c) ESTABLISHMENT OF APPROPRIATE PAYEE REPORTING THRESHOLD.—Subsection (d)(3)(C) of such section is amended by striking “\$35,000” and inserting “\$50,000”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 2770. VA research is a very vital mission of the Department of Veterans Affairs. Focusing on research for the special health care of our veterans, VA’s pro-

gram has been recognized for excellence over many, many years. Boasting such developments as the cardiac pacemaker and the CAT scan, VA also lays claim to three Nobel Laureates and six Lasker Award winners.

In 1988 Congress allowed the Secretary of the Department of Veterans Affairs to authorize the establishment of nonprofit research corporations. Currently, 82 of these NPCs provide their affiliated VA health care systems and medical centers with a highly valued means of administering non-VA Federal research grants and private sector funds in support of VA research and education.

The fundamental purpose of these nonprofits is to serve veterans by supporting VA research and medical education to improve the quality of care that veterans receive. It has been 20 years now since the creation of the NPCs, and in that time the statute has never been updated. The purpose of this bill is to modernize and clarify that statute relating to nonprofit research education corporations so they can better support the research that is undertaken in the VA.

Specifically, the bill expands the general authorities on establishing nonprofit research corporations by authorizing the creation of multi-medical center research corporations where two or more VA medical centers share one corporation. It also clarifies the purposes of the corporations by allowing them to support functions related to research and education, such as travel to scientific conferences, improvements in laboratories with new equipment purchase, and support for the institutional review board.

Additionally, the bill modifies the requirements for the board of directors of the corporations so that they can acquire board members with legal and financial expertise for sound governance and financial management of the corporations. The legislation also provides clarification on reimbursements and other fee charges.

Finally, H.R. 2770 improves accountability and oversight of the corporations by detailing the audit requirements so that they are consistent with OMB Circular A-133, which provides guidance on audits, as well as clarifying that employees of the corporations are to be subject to a conflict of interest policy adopted by the corporation, instead of applying the Federal conflict of interest regulations to non-Federal employees.

I urge my colleagues to support H.R. 2770, as amended.

Mr. Speaker, I reserve the balance of my time.

Mr. STEARNS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2770, as amended, the Veterans Nonprofit Research and Education Corporations Enhancement Act of 2009. This bill would amend title 38, United States Code, to modify and update provisions of law relating to nonprofit research and education corporations, and for other purposes.

VA nonprofit research corporations, or NPCs as they are called, are independent entities that serve to provide a flexible funding mechanism for the use of non-VA funds to conduct VA-approved research. Last year, with \$250 million in revenue, these organizations supported more than 4,000 research and education programs to benefit our veterans.

It has been 20 years, however, since we passed the law that established this public-private partnership, and it is important for us to ensure that the statute stays relevant for today’s complex research and compliance requirements and provides VA with the necessary oversight authority to simply safeguard the management of these funds. This bill, H.R. 2770, as amended, would update and modernize the law to improve the operation and strengthen the oversight of these not-for-profit entities.

A key provision of the bill would allow an NPC to be shared among a number of VA medical centers to simply reduce administrative costs and to allow smaller NPCs to better achieve the potential to support VA research. So this bill would provide a number of new guidance and policy requirements to improve management of the NPCs and simply boost VA’s oversight capability.

I want to thank the chairman, Mr. FILNER, and the ranking member, Mr. BUYER, for working in concert to jointly sponsor this bill and move it forward, as they have done. This bill is supported by the VA, the Friends of VA Medical Care and Health Research, and the National Association of VA Research and Education Foundations.

I would like to again offer my congratulations to the chairman and ranking member of the subcommittee, MIKE MICHAUD and HENRY BROWN, for their hard work on the bill, and obviously I appreciate Mr. FILNER and Mr. BUYER, the ranking member, for working together. I urge my colleagues to support the bill.

Mr. Speaker, I yield back the balance of my time.

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2770, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BUYER. Mr. Speaker, I rise in support of H.R. 2770, as amended, the Veterans Nonprofit Research and Education Corporations Enhancement Act of 2009.

I am pleased to join with Chairman FILNER in introducing and supporting this legislation that would revise and improve the laws governing VA Nonprofit Research Corporations (NPCs).

These state chartered, private organizations are dedicated entirely to supporting approved research and education at affiliated VA medical centers. They rely solely on non-appropriated funds to conduct their activities, but are subject to VA oversight and regulation. There are 86 NPCs located in forty-one states, Puerto Rico, and the District of Columbia.

However, the law that authorized and governs the operation of these organizations has not been updated since 1988. Last year, the VA Office of Inspector General (IG) conducted an audit and found that there is a need to strengthen VA oversight and control over NPC funds and administration.

H.R. 2770, as amended would address concerns raised by the IG and update other provisions of the law to improve the operation of the non-profits to better meet the needs of the VA.

The primary enhancements would include allowing VA to establish Multi-Medical Center Research Corporations, which is a voluntary sharing of one NPC among two or more VA Medical Centers, to increase research capabilities at smaller facilities.

The bill would change requirements for Board membership to include at least two non-federal employee members that have business, legal, financial, medical, or scientific expertise that would benefit the NPC.

It would clarify the circumstances in which an NPC could accept, administer, retain, and spend funds received; enter into contracts and agreements; charge and retain fees for educational programs; and provide certain reimbursements to VA for legal services.

The bill would also raise the threshold for requirements to conduct independent audits and require that all NPCs establish a comprehensive conflict of interest policy.

It is timely that we enact this legislation to strengthen VA's authority to guide expenditures and increase accountability and oversight of NPCs. It is important to enhancing VA's ability to capitalize on private research funds to improve the quality of care for our nation's veterans. I urge my colleagues to support H.R. 2770, as amended.

Mr. FILNER. Mr. Speaker, I urge my colleagues to unanimously support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 2770, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CAREGIVER ASSISTANCE AND RESOURCE ENHANCEMENT ACT

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3155) to amend title 38, United States Code, to provide certain caregivers of veterans with training, support, and medical care, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3155

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Caregiver Assistance and Resource Enhancement Act".

SEC. 2. SUPPORT SERVICES FOR CAREGIVERS.

(a) *DEFINITIONS.—Section 1701 of title 38, United States Code, is amended by adding at the end the following new paragraphs:*

"(10) The term 'caregiver services' means non-institutional extended care (as used in paragraph (6)).

"(11) The term 'caregiver' means an individual who—

"(A) with respect to a disabled veteran who is enrolled in the health care system established under section 1705(a) of this title, provides caregiver services to such veteran for such disability; and

"(B) is not a member of the family (including parents, spouses, children, siblings, step-family members, and extended family members) of such veteran.

"(12) The term 'family caregiver' means an individual who—

"(A) with respect to a disabled veteran who is enrolled in the health care system established under section 1705(a) of this title, provides caregiver services to such veteran for such disability;

"(B) is a member of the family (including parents, spouses, children, siblings, step-family members, and extended family members) of such veteran; and

"(C) may or may not reside with such veteran."

(b) SUPPORT SERVICES.—

(1) *IN GENERAL.—Subchapter II of chapter 17 of title 38, United States Code, is amended by adding at the end the following new section:*

"§ 1720G. Support services for caregivers and family caregivers

"(a) ESTABLISHMENT OF PROGRAM.—The Secretary shall develop and carry out a program for caregivers and family caregivers that includes the following:

"(1) The educational sessions, stipends, and access to support services provided under this section.

"(2) Counseling and other services provided under section 1782 of this title.

"(3) Respite care provided under section 1720B of this title.

"(4) With respect to family caregivers, medical care provided under section 1781(e) of this title.

"(5) Travel expenses provided under section 111(e) of this title.

"(b) EDUCATIONAL SESSIONS.—(1) The Secretary shall make available educational sessions for caregivers, family caregivers, and individuals described in paragraph (2). Such educational sessions shall—

"(A) be made available both in person and on an Internet website;

"(B) incorporate available technology, including telehealth technology to the extent practicable; and

"(C) teach techniques, strategies, and skills for caring for a disabled veteran, including, at a minimum, a veteran who—

"(i) was deployed in support of Operation Enduring Freedom or Operation Iraqi Freedom; and

"(ii) has post-traumatic stress disorder, a traumatic brain injury, or other severe injury or illness.

"(2) Individuals described in this paragraph are individuals who provide caregivers and family caregivers with support under this chapter or through an aging network (as defined in section 102(5) of the Older Americans Act of 1965 (42 U.S.C. 3002(5)), including—

"(A) respite care providers;

"(B) nursing care providers; and

"(C) counselors.

"(c) STIPENDS.—(1) The Secretary shall provide monthly stipends to eligible family caregivers described in paragraph (2).

"(2) An eligible family caregiver described in this paragraph is a family caregiver who—

"(A) provides caregiver services to a veteran who—

"(i) was deployed in support of Operation Enduring Freedom or Operation Iraqi Freedom; and

"(ii) for purposes of this subsection, is determined by the Secretary—

"(I) to have a service-connected disability or illness that is severe;

"(II) to be in need of caregiver services, such that without such services, the veteran would require hospitalization, nursing home care, or other residential institutional care; and

"(III) based on an examination by a physician employed by the Department (or, in areas where no such physician is available, by a physician carrying out such function under a contract or fee arrangement), to be unable to carry out the activities (including instrumental activities) of daily living;

"(B) with respect to such veteran, meets the definition of the term 'family caregiver' under section 1701(12) of this title;

"(C) is designated by such veteran as the primary family caregiver for such veteran; and

"(D) is not—

"(i) employed by a home health care agency to provide such caregiver services; or

"(ii) otherwise receiving payment for such services.

"(3) The authority of the Secretary to provide a stipend to an eligible family caregiver under this subsection shall expire on October 1, 2012.

"(d) ACCESS TO SUPPORT SERVICES.—The Secretary shall provide caregivers and family caregivers with information concerning public, private, and non-profit agencies that offer support to caregivers. In providing such information, the Secretary shall—

"(1) collaborate with the Assistant Secretary for Aging of the Department of Health and Human Services in order to provide caregivers and family caregivers access to aging and disability resource centers under the Administration on Aging of the Department of Health and Human Services; and

"(2) include on an Internet website that is dedicated to caregivers and family caregivers—

"(A) a directory of services available for caregivers and family caregivers at the county level; and

"(B) tools that provide caregivers and family caregivers with the ability to interact with each other for the purpose of fostering peer support and creating support networks.

"(e) INFORMATION AND OUTREACH.—(1) The Secretary shall conduct outreach to inform disabled veterans and the families of such veterans of the following:

"(A) Medical care, educational sessions, stipends, and other services available for caregivers and family caregivers under this chapter.

"(B) The ability of a family caregiver to be trained and certified by a home health care agency in order to be paid by such agency for providing caregiver services.

"(2) Outreach under this subsection shall include, at a minimum, the following:

"(A) Public service announcements.

"(B) Brochures and pamphlets.

"(C) Full use of Internet-based outreach methods, including such methods designed specifically for veterans and the families of such veterans who reside in rural areas.

"(3) With respect to a Department employee providing case management services (as defined in section 1720C(b)(2) of this title) to a disabled veteran, the Secretary shall ensure that such employee provides a caregiver or family caregiver of such veteran with information on the services described in subparagraphs (A) and (B) of paragraph (1)."

(2) *CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of title 38,*