

from Tennessee. Of this brigade that has just returned from a theater of war, 40 percent do not have jobs waiting on them. Think about that. Forty percent of those just now coming back from a theater of war don't have a job waiting on them. So it is not just the veterans who may have served the Nation many years ago. It is those who are returning who are still active guardsmen and reservists, yet now they don't have that job to come back to. We had better be leaning forward on this one.

Mr. STEARNS, I want to thank you for your legislation. I want to thank the chairman for supporting the legislation.

I urge all Members to support H.R. 3685.

I yield back the balance of my time.

Mr. FILNER. I urge my colleagues to unanimously support H.R. 3685, 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. 3685.

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. BUYER. 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.

PROVIDING HONORARY TITLE FOR ARMY RESERVISTS

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3787) to amend title 38, United States Code, to deem certain service in the reserve components as active service for purposes of laws administered by the Secretary of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3787

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

SECTION 1. PROVISION OF STATUS UNDER LAW BY HONORING CERTAIN MEMBERS OF THE RESERVE COMPONENTS AS VETERANS.

(a) IN GENERAL.—Chapter 1 of title 38, United States Code, is amended by inserting after section 107 the following new section:

“§ 107A. Honoring as veterans certain persons who performed service in the reserve components

“Any person who is entitled under chapter 1223 of title 10 to retired pay for nonregular service or, but for age, would be entitled under such chapter to retired pay for nonregular service shall be honored as a veteran but shall not be entitled to any benefit by reason of this section.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 107 the following new item:

“107A. Honoring as veterans certain persons who performed service in the reserve components.”.

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

The Chair recognizes the gentleman from California.

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. 3787, as amended.

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

There was no objection.

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

Mr. Speaker, today there are over a million men and women serving in our country in the National Guard and Reserves performing a wide variety of duties from combat operations around the world to responding to natural disasters at home. Members in the National Guard serve two commanders—the President, if called upon to join active duty components of the armed services, and the Governor of their State. Because of this, they were some of the first on the scene to bring calm following Hurricane Katrina. And during the recent British Petroleum oil spill in the gulf, over 1,600 members of National Guard units from four States were mobilized to protect our treasured coastline.

At age 60, members of the Guard with 20 years of service qualify for benefits similar to military retirees but cannot be designated as veterans of the armed services. As such, these so-called gray-area retirees cannot call themselves veterans even for honorary purposes. As such, they are not saluted during veterans' tributes and don't enjoy other ceremonial veterans' honors.

This bill would allow the members of the Reserve component the honor of calling themselves veterans. Specifically, this bill would establish members of the National Guard who are eligible for a non-regular retirement, but who were never called to active duty during their careers, to be called veterans for honorary purposes.

The chief sponsor of this bill is Representative WALZ from Minnesota. He served 24 years in the National Guard, rising to the rank of Command Sergeant Major; and in fact is the highest ranking enlisted man ever elected to this Congress. When he was called to active duty for the period required to earn him full veteran status, he realized that many of his brothers and sisters at arms were denied that honor.

This legislation is supported by members of the Military Coalition and the National Military Veterans Alliance, which together represent several million active duty servicemembers, veterans, and their families. I urge my

colleagues to join me in supporting H.R. 3787.

I reserve the balance of my time.

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

I rise also in support of H.R. 3787, as amended, introduced by my good friend, the former Command Sergeant Major TIM WALZ of the Minnesota National Guard. I know where he wanted to go with this legislation. I think what he has done is really struck the right compromise. I discussed this even at the time in the committee. We don't like to think of America as a coalition government, but in fact that's what we are. We are States out there for which we all have to recognize the constitutions of each of the States and we are bound together by a U.S. Constitution. Different States have their own militia but at the same time they're also under the United States Code, and can be called upon. When they're called upon to serve in Federal status, in particular serving the Nation at war for a period of greater than 180 days or are injured on active duty, they gain access to not only being called a veteran but also to veterans' benefits.

But this is a pretty good title. It is an honorary title with regard to those who served greater than 20 years in the National Guard and they had not been called to active duty for an extended period of time, which would make them eligible for VA benefits under the statute. So I think what the gentleman from Minnesota has tried to do is to strike the appropriate balance, and I believe that he has found it.

I urge all Members to support H.R. 3787, as amended. I congratulate the former Sergeant Major on a job well done.

□ 1320

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

Mr. FILNER. Mr. Speaker, 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. 3787, as amended.

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

The title was amended so as to read: “A bill to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law.”.

A motion to reconsider was laid on the table.

CHANGING CERTIFICATION REQUIREMENTS FOR VA COUNSELORS

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5630) to amend title 38, United States Code, to provide for qualifications for vocational rehabilitation

counselors and vocational rehabilitation employment coordinators employed by the Department of Veterans Affairs.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5630

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

SECTION 1. QUALIFICATIONS FOR VOCATIONAL REHABILITATION COUNSELORS AND VOCATIONAL REHABILITATION EMPLOYMENT COORDINATORS EMPLOYED BY THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 31 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 3123. Qualifications for vocational rehabilitation counselors and vocational rehabilitation employment coordinators

“(a) VOCATIONAL REHABILITATION COUNSELORS.—Each individual employed by the Department as a vocational rehabilitation counselor shall—

“(1) have completed a masters degree in vocational rehabilitation counseling before being so employed;

“(2) by not later than five years after the individual is first so employed, obtain certification by an accredited certifying body recognized by the National Commission for Certifying Agencies; and

“(3) as a condition of continued employment, maintain such certification.

“(b) VOCATIONAL REHABILITATION EMPLOYMENT COORDINATORS.—Each individual employed by the Department as a vocational rehabilitation employment coordinator shall—

“(1) have completed a bachelors degree in the relevant field, as designated by the Secretary, before being so employed;

“(2) by not later than five years after the individual is first so employed, obtain certification by an accredited certifying body recognized by the National Commission for Certifying Agencies; and

“(3) as a condition of continued employment, maintain such certification.

“(c) REMEDIATION PLAN.—If an individual employed by the Department as a vocational rehabilitation counselor or a vocational rehabilitation employment coordinator fails to meet a condition of employment applicable to such individual under subsection (a) or (b), the Director of the Vocational Rehabilitation and Employment Service shall develop a remediation plan for such individual. If the individual fails to complete the remediation plan, such failure shall be cause for termination.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“3123. Qualifications for vocational rehabilitation counselors and vocational rehabilitation employment coordinators.”.

(c) APPLICABILITY.—

(1) INDIVIDUALS HIRED AFTER DATE OF ENACTMENT.—Section 3123 of title 38, United States Code, as added by subsection (a), shall apply with respect to an individual hired by the Department of Veterans Affairs after the date of the enactment of this Act.

(2) INDIVIDUALS HIRED BEFORE DATE OF ENACTMENT.—In the case of an individual hired as a vocational rehabilitation counselor or a vocational rehabilitation employment coordinator by the Department of Veterans Affairs before the date of the enactment of this Act, such individual is required to have the qualifications described in section 3123 of title 38, United States Code, as added by sub-

section (a), for the position held by the individual by not later than five years after the date of the enactment of this Act.

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

The Chair recognizes the gentleman from California.

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 to include extraneous material on H.R. 5630.

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

There was no objection.

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

Mr. Speaker, I would like to commend the gentleman from Arkansas, Representative JOHN BOOZMAN, for introducing this bill, which seeks to set minimum educational and training standards for certain employees of the Vocational Rehabilitation and Employment program operated by the Department of Veterans Affairs. This would, of course, help veterans while they set their employment goals.

I reserve the balance of my time.

Mr. BUYER. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 5630, a bill which would set certain requirements for professional level jobs at the Department of Veterans Affairs' Vocational Rehabilitation and Employment program.

In 2009, the Government Accountability Office reported that one-third of the VA's regional offices reported that their VRE staffs did not have the skills needed to properly serve the disabled veterans who come to them for help. Although it is our understanding the VA currently hires counselors with at least a master's degree in vocational rehabilitation counseling, it does not require counselors to obtain and maintain certification in their field from a national certifying organization. There are also no educational qualifications for VRE employment coordinators.

To ensure that the VA rehabilitation counselors are the best qualified in their field, H.R. 5630 would set a minimum hiring standard at a master's degree and would require counselors to obtain national certification within 5 years of hiring and to maintain these qualifications. Employment coordinators would be required to have a relevant bachelor's degree, to obtain certification within 5 years, and to maintain these qualifications. Counselors and coordinators who fail to comply with these standards will be subject to termination.

Mr. Speaker, these are commonsense provisions which are designed to ensure that our disabled veterans are receiving the best vocational rehabilitation and employment services possible.

I urge my colleagues to support H.R. 5630, and I yield back the balance of my time.

Mr. FILNER. 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. 5630.

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

A motion to reconsider was laid on the table.

SECURING AMERICA'S VETERANS INSURANCE NEEDS AND GOALS ACT OF 2010

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5993) to amend title 38, United States Code, to ensure that beneficiaries of Servicemembers' Group Life Insurance receive financial counseling and disclosure information regarding life insurance payments, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5993

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 “Securing America's Veterans Insurance Needs and Goals Act of 2010” or the “SAVINGS Act of 2010”.

SEC. 2. FINANCIAL COUNSELING AND DISCLOSURE INFORMATION FOR SERVICEMEMBERS' GROUP LIFE INSURANCE BENEFICIARIES.

(a) FINANCIAL COUNSELING AND DISCLOSURE INFORMATION.—

(1) IN GENERAL.—Section 1966 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(e)(1) In order to be an eligible life insurance company under this section, a life insurance company shall—

“(A) make available, both orally and in writing, financial counseling to a beneficiary or other person otherwise entitled to payment upon the establishment of a valid claim under section 1970(a) of this title; and

“(B) at the time that such beneficiary or other person entitled to payment establishes a valid claim under section 1970(a) of this title, provide to such beneficiary or other person the disclosures described in paragraph (2).

“(2) The disclosures provided pursuant to paragraph (1)(B) shall—

“(A) be provided both orally and in writing; and

“(B) include information with respect to the payment of the claim, including—

“(i) an explanation of the methods available to receive such payment, including—

“(I) receipt of a lump-sum payment;

“(II) allowing the insurance company to maintain the lump-sum payment;

“(III) receipt of thirty-six equal monthly installments; and

“(IV) any alternative methods;

“(ii) an explanation that any such payment that is maintained by the life insurance company or paid in thirty-six equal monthly installments by the company is not insured by the Federal Deposit Insurance Corporation;