

the gentleman from Virginia (Mr. BOUCHER) that the House suspend the rules and pass the bill, S. 1132.

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.

□ 2030

VETERANS' BENEFITS ACT OF 2010

Mr. FILNER. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 3219) to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to insurance and health care, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Veterans’ Benefits Act of 2010”.

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

Sec. 1. Short title; table of contents.

Sec. 2. References to title 38, United States Code.

TITLE I—EMPLOYMENT, SMALL BUSINESS, AND EDUCATION MATTERS

Sec. 101. Extension and expansion of authority for certain qualifying work-study activities for purposes of the educational assistance programs of the Department of Veterans Affairs.

Sec. 102. Reauthorization of Veterans’ Advisory Committee on Education.

Sec. 103. 18-month period for training of new disabled veterans’ outreach program specialists and local veterans’ employment representatives by National Veterans’ Employment and Training Services Institute.

Sec. 104. Clarification of responsibility of Secretary of Veterans Affairs to verify small business ownership.

Sec. 105. Demonstration project for referral of USERRA claims against Federal agencies to the Office of Special Counsel.

Sec. 106. Veterans Energy-Related Employment Program.

Sec. 107. Pat Tillman Veterans’ Scholarship Initiative.

TITLE II—HOUSING AND HOMELESSNESS MATTERS

Sec. 201. Reauthorization of appropriations for Homeless Veterans Reintegration Program.

Sec. 202. Homeless women veterans and homeless veterans with children reintegration grant program.

Sec. 203. Specially Adapted Housing assistive technology grant program.

Sec. 204. Waiver of housing loan fee for certain veterans with service-connected disabilities called to active service.

TITLE III—SERVICEMEMBERS CIVIL RELIEF ACT MATTERS

Sec. 301. Residential and motor vehicle leases.

Sec. 302. Termination of telephone service contracts.

Sec. 303. Enforcement by the Attorney General and by private right of action.

TITLE IV—INSURANCE MATTERS

Sec. 401. Increase in amount of supplemental insurance for totally disabled veterans.

Sec. 402. Permanent extension of duration of Servicemembers’ Group Life Insurance coverage for totally disabled veterans.

Sec. 403. Adjustment of coverage of dependents under Servicemembers’ Group Life Insurance.

Sec. 404. Opportunity to increase amount of Veterans’ Group Life Insurance.

Sec. 405. Elimination of reduction in amount of accelerated death benefit for terminally-ill persons insured under Servicemembers’ Group Life Insurance and Veterans’ Group Life Insurance.

Sec. 406. Consideration of loss of dominant hand in prescription of schedule of severity of traumatic injury under Servicemembers’ Group Life Insurance.

Sec. 407. Enhancement of veterans’ mortgage life insurance.

Sec. 408. Expansion of individuals qualifying for retroactive benefits from traumatic injury protection coverage under Servicemembers’ Group Life Insurance.

TITLE V—BURIAL AND CEMETERY MATTERS

Sec. 501. Increase in certain burial and funeral benefits and plot allowances for veterans.

Sec. 502. Interment in national cemeteries of parents of certain deceased veterans.

Sec. 503. Reports on selection of new national cemeteries.

TITLE VI—COMPENSATION AND PENSION

Sec. 601. Enhancement of disability compensation for certain disabled veterans with difficulties using prostheses and disabled veterans in need of regular aid and attendance for residuals of traumatic brain injury.

Sec. 602. Cost-of-living increase for temporary dependency and indemnity compensation payable for surviving spouses with dependent children under the age of 18.

Sec. 603. Payment of dependency and indemnity compensation to survivors of former prisoners of war who died on or before September 30, 1999.

Sec. 604. Exclusion of certain amounts from consideration as income for purposes of veterans pension benefits.

Sec. 605. Commencement of period of payment of original awards of compensation for veterans retired or separated from the uniformed services for catastrophic disability.

Sec. 606. Applicability of limitation to pension payable to certain children of veterans of a period of war.

Sec. 607. Extension of reduced pension for certain veterans covered by Medicaid plans for services furnished by nursing facilities.

Sec. 608. Codification of 2009 cost-of-living adjustment in rates of pension for disabled veterans and surviving spouses and children.

TITLE VII—EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES

Sec. 701. Clarification that USERRA prohibits wage discrimination against members of the Armed Forces.

Sec. 702. Clarification of the definition of “successor in interest”.

Sec. 703. Technical amendments.

TITLE VIII—BENEFITS MATTERS

Sec. 801. Increase in number of veterans for which programs of independent living services and assistance may be initiated.

Sec. 802. Payment of unpaid balances of Department of Veterans Affairs guaranteed loans.

Sec. 803. Eligibility of disabled veterans and members of the Armed Forces with severe burn injuries for automobiles and adaptive equipment.

Sec. 804. Enhancement of automobile assistance allowance for veterans.

Sec. 805. National Academies review of best treatments for chronic multisymptom illness in Persian Gulf War veterans.

Sec. 806. Extension and modification of National Academy of Sciences reviews and evaluations on illness and service in Persian Gulf War and Post-9/11 Global Operations Theaters.

Sec. 807. Extension of authority for regional office in Republic of the Philippines.

Sec. 808. Extension of an annual report on equitable relief.

Sec. 809. Authority for the performance of medical disability examinations by contract physicians.

TITLE IX—AUTHORIZATION OF MEDICAL FACILITY PROJECTS AND MAJOR MEDICAL FACILITY LEASES

Sec. 901. Authorization of fiscal year 2011 major medical facility leases.

Sec. 902. Modification of authorization amount for major medical facility construction project previously authorized for the Department of Veterans Affairs Medical Center, New Orleans, Louisiana.

Sec. 903. Modification of authorization amount for major medical facility construction project previously authorized for the Department of Veterans Affairs Medical Center, Long Beach, California.

Sec. 904. Authorization of appropriations.

Sec. 905. Requirement that bid savings on major medical facility projects of Department of Veterans Affairs be used for other major medical facility construction projects of the Department.

TITLE X—OTHER MATTERS

Sec. 1001. Technical corrections.

Sec. 1002. Statutory Pay-As-You-Go Act compliance.

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

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—EMPLOYMENT, SMALL BUSINESS, AND EDUCATION MATTERS

SEC. 101. EXTENSION AND EXPANSION OF AUTHORITY FOR CERTAIN QUALIFYING WORK-STUDY ACTIVITIES FOR PURPOSES OF THE EDUCATIONAL ASSISTANCE PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) **EXTENSION.**—Paragraph (4) of section 3485(a) is amended by striking “June 30, 2010” each place it appears and inserting “June 30, 2013”.

(b) **ACTIVITIES IN STATE VETERANS AGENCIES.**—Such paragraph is further amended by adding at the end the following new subparagraphs:

“(G) Any activity of a State veterans agency related to providing assistance to veterans in obtaining any benefit under the laws administered by the Secretary or the laws of the State.

“(H) A position working in a Center of Excellence for Veteran Student Success, as established pursuant to part T of title VIII of the Higher Education Act of 1965 (20 U.S.C. 1161t et seq.).

“(I) A position working in a cooperative program carried out jointly by the Department and an institution of higher learning.

“(J) Any other veterans-related position in an institution of higher learning.”

(c) **EFFECTIVE DATE.**—The amendment made by subsection (b) shall take effect on October 1, 2011.

SEC. 102. REAUTHORIZATION OF VETERANS' ADVISORY COMMITTEE ON EDUCATION.

Section 3692(c) is amended by striking “December 31, 2009” and inserting “December 31, 2013”.

SEC. 103. 18-MONTH PERIOD FOR TRAINING OF NEW DISABLED VETERANS' OUTREACH PROGRAM SPECIALISTS AND LOCAL VETERANS' EMPLOYMENT REPRESENTATIVES BY NATIONAL VETERANS' EMPLOYMENT AND TRAINING SERVICES INSTITUTE.

(a) **18-MONTH PERIOD.**—Section 4102A(c)(8)(A) is amended by striking “three-year period” and inserting “18-month period”.

(b) **EFFECTIVE DATE.**—

(1) **APPLICABILITY TO NEW EMPLOYEES.**—The amendment made by subsection (a) shall apply with respect to a State employee assigned to perform the duties of a disabled veterans' outreach program specialist or a local veterans' employment representative under chapter 41 of title 38, United States Code, who is so assigned on or after the date of the enactment of this Act.

(2) **APPLICABILITY TO PREVIOUSLY-HIRED EMPLOYEES.**—In the case of such a State employee who is so assigned on or after January 1, 2006, and before the date of the enactment of this Act, the Secretary of Labor shall require the State to require, as a condition of a grant or contract under which funds are made available to the State in order to carry out section 4103A or 4104 of title 38, United States Code, each such employee to satisfactorily complete the training described in section 4102A(c)(8)(A) of such title by not later than the date that is 18 months after the date of the enactment of this Act.

SEC. 104. CLARIFICATION OF RESPONSIBILITY OF SECRETARY OF VETERANS AFFAIRS TO VERIFY SMALL BUSINESS OWNERSHIP.

(a) **SHORT TITLE.**—This section may be cited as the “Veterans Small Business Verification Act”.

(b) **CLARIFICATION OF RESPONSIBILITY OF SECRETARY OF VETERANS AFFAIRS TO VERIFY SMALL BUSINESS OWNERSHIP.**—

(1) **CLARIFICATION.**—Section 8127(f) is amended—

(A) in paragraph (2)—

(i) by inserting “(A)” before “To be eligible”;
(ii) by inserting after “or the veteran.” the following new sentence: “Application for inclusion in the database shall constitute permission under section 552a of title 5 (commonly referred to as the Privacy Act) for the Secretary to access such personal information maintained by the Secretary as may be necessary to verify the information contained in the application.”; and
(iii) by inserting after the sentence added by clause (ii) the following new subparagraph:

“(B) If the Secretary receives an application for inclusion in the database from an individual whose status as a veteran cannot be verified because the Secretary does not maintain information with respect to the veteran status of the individual, the Secretary may not include the small business concern owned and controlled by the individual in the database maintained by the Secretary until the Secretary receives such information as may be necessary to verify that the individual is a veteran.”; and
(B) by striking paragraph (4) and inserting the following new paragraph (4):

“(4) No small business concern may be listed in the database until the Secretary has verified that—

“(A) the small business concern is owned and controlled by veterans; and

“(B) in the case of a small business concern for which the person who owns and controls the concern indicates that the person is a veteran with a service-connected disability, that the person is a veteran with a service-connected disability.”.

(2) **APPLICABILITY.**—In the case of a small business concern included in the database as of the date of the enactment of this Act for which, as of such date, the Secretary of Veterans Affairs has not verified the status of such concern in accordance with paragraph (4) of subsection (f) of section 8127 of title 38, United States Code, as amended by paragraph (1), not later than 60 days after the date of the enactment of this Act, the Secretary shall notify the person who owns and controls the concern that—

(A) the Secretary is required to verify the status of the concern in accordance with such paragraph, as so amended;

(B) verification of such status shall require that the person who owns and controls the concern apply for inclusion in the database in accordance with such subsection, as so amended;

(C) application for inclusion in the database shall constitute permission under section 552a of title 5, United States Code (commonly referred to as the Privacy Act), for the Secretary to access such personal information maintained by the Secretary as may be necessary to verify the information contained in the application; and

(D) the person who owns and controls the concern must submit to the Secretary all information required by the Secretary under this paragraph within 90 days of receiving the Secretary's notice of such requirement or the concern shall be removed from the database.

SEC. 105. DEMONSTRATION PROJECT FOR REFERRAL OF USERRA CLAIMS AGAINST FEDERAL AGENCIES TO THE OFFICE OF SPECIAL COUNSEL.

(a) **ESTABLISHMENT OF PROJECT.**—The Secretary of Labor and the Office of Special Counsel shall carry out a 36-month demonstration project under which certain claims against Federal executive agencies under chapter 43 of title 38, United States Code, are referred to, or otherwise received by, the Office of Special Counsel for assistance, including investigation and resolution of the claim as well as enforcement of rights with respect to the claim. The demonstration program shall begin not later than 60 days after the Comptroller General of the United States submits the report required under subsection (e)(3).

(b) **REFERRAL OF ALL PROHIBITED PERSONNEL PRACTICE CLAIMS TO THE OFFICE OF SPECIAL COUNSEL.**—

(1) **IN GENERAL.**—Under the demonstration project, the Office of Special Counsel shall receive and investigate all claims under chapter 43 of title 38, United States Code, with respect to Federal executive agencies in cases where the Office of Special Counsel has jurisdiction over related claims pursuant to section 1212 of title 5, United States Code.

(2) **RELATED CLAIMS.**—For purposes of paragraph (1), a related claim is a claim involving the same Federal executive agency and the same or similar factual allegations or legal issues as those being pursued under a claim under chapter 43 of title 38, United States Code.

(c) **REFERRAL OF OTHER CLAIMS AGAINST FEDERAL EXECUTIVE AGENCIES.**—

(1) **IN GENERAL.**—Under the demonstration project, the Secretary—

(A) shall refer to the Office of Special Counsel all claims described in paragraph (2) made during the period of the demonstration project; and

(B) may refer any claim described in paragraph (2) filed before the demonstration project that is pending before the Secretary at the beginning of the demonstration project.

(2) **CLAIMS DESCRIBED.**—A claim described in this paragraph is a claim under chapter 43 of title 38, United States Code, against a Federal

executive agency by a claimant with a social security account number with an odd number as its terminal digit or, in the case of a claim that does not contain a social security account number, a case number assigned to the claim with an odd number as its terminal digit.

(d) **ADMINISTRATION OF DEMONSTRATION PROJECT.**—

(1) **IN GENERAL.**—The Office of Special Counsel shall administer the demonstration project. The Secretary shall cooperate with the Office of Special Counsel in carrying out the demonstration project.

(2) **TREATMENT OF CERTAIN TERMS IN CHAPTER 43 OF TITLE 38, UNITED STATES CODE.**—In the case of any claim referred to, or otherwise received by, the Office of Special Counsel under the demonstration project, any reference to the “Secretary” in sections 4321, 4322, and 4326 of title 38, United States Code, is deemed to be a reference to the “Office of Special Counsel”.

(3) **ADMINISTRATIVE JURISDICTION.**—In the case of any claim referred to, or otherwise received by, the Office of Special Counsel under the demonstration project, the Office of Special Counsel shall retain administrative jurisdiction over the claim.

(e) **DATA COMPARABILITY FOR REVIEWING AGENCY PERFORMANCE.**—

(1) **IN GENERAL.**—To facilitate the review of the relative performance of the Office of Special Counsel and the Department of Labor during the demonstration project, the Office of Special Counsel and the Department of Labor shall jointly establish methods and procedures to be used by both the Office and the Department during the demonstration project. Such methods and procedures shall include each of the following:

(A) Definitions of performance measures, including—

- (i) customer satisfaction;
- (ii) cost (such as, but not limited to, average cost per claim);
- (iii) timeliness (such as, but not limited to, average processing time, case age);
- (iv) capacity (such as, but not limited to, staffing levels, education, grade level, training received, caseload); and
- (v) case outcomes.

(B) Definitions of case outcomes.

(C) Data collection methods and timing of collection.

(D) Data quality assurance processes.

(2) **JOINT REPORT TO CONGRESS.**—Not later than 90 days after the date of the enactment of this Act, the Special Counsel and the Secretary of Labor shall jointly submit to the Committees on Veterans' Affairs of the Senate and House of Representatives and to the Comptroller General of the United States a report describing the methods and procedures established under paragraph (1).

(3) **COMPTROLLER GENERAL REPORT.**—Not later than 30 days after the date of the submittal of the report under paragraph (2), the Comptroller General shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the report submitted under paragraph (2) and may provide recommendations for improving the methods and procedures described therein.

(f) **AGENCY DATA TO GOVERNMENT ACCOUNTABILITY OFFICE.**—The Office of Special Counsel and the Secretary of Labor shall submit to the Comptroller General such information and data about the demonstration project as may be required by the Comptroller General, from time to time during the course of the demonstration project and at the conclusion, in order for the Comptroller General to assess the reliability of the demonstration data maintained by both the Office of Special Counsel and the Department of Labor and to review the relative performance of the Office and Department under the demonstration project.

(g) **GOVERNMENT ACCOUNTABILITY OFFICE REPORT.**—The Comptroller General shall review

the relative performance of the Office of Special Counsel and the Department of Labor under the demonstration project and—

(1) not later than one year after the commencement of the demonstration project, and annually thereafter during the period when the demonstration project is conducted, submit to the Committees on Veterans' Affairs of the Senate and House of Representatives an interim report on the demonstration project; and

(2) not later than 90 days after the conclusion of the demonstration project, submit to such committees a final report that includes the findings and conclusions of the Comptroller General regarding the relative performance of the Office and the Department under the demonstration project and such recommendations as the Comptroller General determines are appropriate.

SEC. 106. VETERANS ENERGY-RELATED EMPLOYMENT PROGRAM.

(a) **ESTABLISHMENT OF PILOT PROGRAM.**—To encourage the employment of eligible veterans in the energy industry, the Secretary of Labor, as part of the Veterans Workforce Investment Program, shall carry out a pilot program to be known as the “Veterans Energy-Related Employment Program”. Under the pilot program, the Secretary shall award competitive grants to not more than three States for the establishment and administration of a State program to make grants to energy employers that provide covered training, on-job training, apprenticeships, and certification classes to eligible veterans. Such a program shall be known as a “State Energy-Related Employment Program”.

(b) **ELIGIBILITY FOR GRANTS.**—To be eligible to receive a grant under the pilot program, a State shall submit to the Secretary an application that includes each of the following:

(1) A proposal for the expenditure of grant funds to establish and administer a public-private partnership program designed to provide covered training, on-job training, apprenticeships, and certification classes to a significant number of eligible veterans and ensure lasting and sustainable employment in well-paying jobs in the energy industry.

(2) Evidence that the State has—

(A) a population of eligible veterans of an appropriate size to carry out the State program;

(B) a robust and diverse energy industry; and

(C) the ability to carry out the State program described in the proposal under paragraph (1).

(3) Such other information and assurances as the Secretary may require.

(c) **USE OF FUNDS.**—A State that is the recipient of a grant under this section shall use the grant for the following purposes:

(1) Making grants to energy employers to reimburse such employers for the cost of providing covered training, on-job training, apprenticeships, and certification classes to eligible veterans who are first hired by the employer on or after November 1, 2010.

(2) Conducting outreach to inform energy employers and veterans, including veterans in rural areas, of their eligibility or potential eligibility for participation in the State program.

(d) **CONDITIONS.**—Under the pilot program, each grant to a State shall be subject to the following conditions:

(1) The State shall repay to the Secretary, on such date as shall be determined by the Secretary, any amount received under the pilot program that is not used for the purposes described in subsection (c).

(2) The State shall submit to the Secretary, at such times and containing such information as the Secretary shall require, reports on the use of grant funds.

(e) **EMPLOYER REQUIREMENTS.**—In order to receive a grant made by a State under the pilot program, an energy employer shall—

(1) submit to the administrator of the State Energy-Related Employment Program an application that includes—

(A) the rate of pay, during and after training, for each eligible veteran proposed to be trained using grant funds;

(B) the average rate of pay for an individual employed by the energy employer in a similar position who is not an eligible veteran; and

(C) such other information and assurances as the administrator may require; and

(2) agree to submit to the administrator, for each quarter, a report containing such information as the Secretary may specify.

(f) **LIMITATION.**—None of the funds made available to an energy employer through a grant under the pilot program may be used to provide training of any kind to—

(1) a person who is not an eligible veteran; or

(2) an eligible veteran for whom the employer has received a grant, credit, or subsidy under any other provision of law.

(g) **REPORT TO CONGRESS.**—Together with the report required to be submitted annually under section 4107(c) of title 38, United States Code, the Secretary shall submit to Congress a report on the pilot program for the year covered by such report. The report on the pilot program shall include a detailed description of activities carried out under this section and an evaluation of the program.

(h) **ADMINISTRATIVE AND REPORTING COSTS.**—Of the amounts appropriated pursuant to the authorization of appropriations under subsection (j), two percent shall be made available to the Secretary for administrative costs associated with implementing and evaluating the pilot program under this section and for preparing and submitting the report required under subsection (f). The Secretary shall determine the appropriate maximum amount of each grant awarded under this section that may be used by the recipient for administrative and reporting costs.

(i) **DEFINITIONS.**—For purposes of this section:

(1) The term “covered training, on-job training, apprenticeships, and certification classes” means training, on-job training, apprenticeships, and certification classes that are—

(A) designed to provide the veteran with skills that are particular to an energy industry and not directly transferable to employment in another industry; and

(B) approved as provided in paragraph (1) or (2), as appropriate, of subsection (a) of section 3687 of title 38, United States Code.

(2) The term “eligible veteran” means a veteran, as that term is defined in section 101(2) of title 38, United States Code, who is employed by an energy employer and enrolled or participating in a covered training, on-job training, apprenticeship, or certification class.

(3) The term “energy employer” means an entity that employs individuals in a trade or business in an energy industry.

(4) The term “energy industry” means any of the following industries:

(A) The energy-efficient building, construction, or retrofits industry.

(B) The renewable electric power industry, including the wind and solar energy industries.

(C) The biofuels industry.

(D) The energy efficiency assessment industry that serves the residential, commercial, or industrial sectors.

(E) The oil and natural gas industry.

(F) The nuclear industry.

(j) **APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary \$1,500,000 for each of fiscal years 2012 through 2014, for the purpose of carrying out the pilot program under this section.

SEC. 107. PAT TILLMAN VETERANS' SCHOLARSHIP INITIATIVE.

(a) **AVAILABILITY OF SCHOLARSHIP INFORMATION.**—By not later than June 1, 2011, the Secretary of Veterans Affairs shall include on the Internet website of the Department of Veterans Affairs a list of organizations that provide scholarships to veterans and their survivors and, for each such organization, a link to the Internet website of the organization.

(b) **MAINTENANCE OF SCHOLARSHIP INFORMATION.**—The Secretary of Veterans Affairs shall

make reasonable efforts to notify schools and other appropriate entities of the opportunity to be included on the Internet website of the Department of Veterans Affairs pursuant to subsection (a).

TITLE II—HOUSING AND HOMELESSNESS MATTERS

SEC. 201. REAUTHORIZATION OF APPROPRIATIONS FOR HOMELESS VETERANS REINTEGRATION PROGRAM.

Section 2021(e)(1)(F) is amended by striking “2009” and inserting “2011”.

SEC. 202. HOMELESS WOMEN VETERANS AND HOMELESS VETERANS WITH CHILDREN REINTEGRATION GRANT PROGRAM.

(a) **GRANT PROGRAM.**—Chapter 20 is amended by inserting after section 2021 the following new section:

“§ 2021A. Homeless women veterans and homeless veterans with children reintegration grant program

“(a) **GRANTS.**—Subject to the availability of appropriations provided for such purpose, the Secretary of Labor shall make grants to programs and facilities that the Secretary determines provide dedicated services for homeless women veterans and homeless veterans with children.

“(b) **USE OF FUNDS.**—Grants under this section shall be used to provide job training, counseling, placement services (including job readiness and literacy and skills training) and child care services to expedite the reintegration of homeless women veterans and homeless veterans with children into the labor force.

“(c) **REQUIREMENT TO MONITOR EXPENDITURES OF FUNDS.**—(1) The Secretary of Labor shall collect such information as that Secretary considers appropriate to monitor and evaluate the distribution and expenditure of funds appropriated to carry out this section. The information shall include data with respect to the results or outcomes of the services provided to each homeless veteran under this section.

“(2) Information under paragraph (1) shall be furnished in such form and manner as the Secretary of Labor may specify.

“(d) **ADMINISTRATION THROUGH THE ASSISTANT SECRETARY OF LABOR FOR VETERANS' EMPLOYMENT AND TRAINING.**—The Secretary of Labor shall carry out this section through the Assistant Secretary of Labor for Veterans' Employment and Training.

“(e) **BIENNIAL REPORT TO CONGRESS.**—The Secretary of Labor shall include as part of the report required under section 2021(d) of this title an evaluation of the grant program under this section, which shall include an evaluation of services furnished to veterans under this section and an analysis of the information collected under subsection (c).

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—(1) In addition to any amount authorized to be appropriated to carry out section 2021 of this title, there is authorized to be appropriated to carry out this section \$1,000,000 for each of fiscal years 2011 through 2015.

“(2) Funds appropriated to carry out this section shall remain available until expended. Funds obligated in any fiscal year to carry out this section may be expended in that fiscal year and the succeeding fiscal year.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2021 the following new item:

“2021A. Homeless women veterans and homeless veterans with children reintegration grant program.”

SEC. 203. SPECIALLY ADAPTED HOUSING ASSISTIVE TECHNOLOGY GRANT PROGRAM.

(a) **IN GENERAL.**—Chapter 21 is amended by adding at the end the following new section:

“§2108. Specially adapted housing assistive technology grant program

“(a) **AUTHORITY TO MAKE GRANTS.**—The Secretary shall make grants to encourage the development of new assistive technologies for specially adapted housing.

“(b) **APPLICATION.**—A person or entity seeking a grant under this section shall submit to the Secretary an application for the grant in such form and manner as the Secretary shall specify.

“(c) **GRANT FUNDS.**—(1) Each grant awarded under this section shall be in an amount of not more than \$200,000 per fiscal year.

“(2) For each fiscal year in which the Secretary makes a grant under this section, the Secretary shall make the grant by not later than April 1 of that year.

“(d) **USE OF FUNDS.**—The recipient of a grant under this section shall use the grant to develop assistive technologies for use in specially adapted housing.

“(e) **REPORT.**—Not later than March 1 of each fiscal year following a fiscal year in which the Secretary makes a grant, the Secretary shall submit to Congress a report containing information related to each grant awarded under this section during the preceding fiscal year, including—

“(1) the name of the grant recipient;

“(2) the amount of the grant; and

“(3) the goal of the grant.

“(f) **FUNDING.**—From amounts appropriated to the Department for readjustment benefits for each fiscal year for which the Secretary is authorized to make a grant under this section, \$1,000,000 shall be available for that fiscal year for the purposes of the program under this section.

“(g) **DURATION.**—The authority to make a grant under this section shall begin on October 1, 2011, and shall terminate on September 30, 2016.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding at the end the following new item: “2108. Specially adapted housing assistive technology grant program.”.

SEC. 204. WAIVER OF HOUSING LOAN FEE FOR CERTAIN VETERANS WITH SERVICE-CONNECTED DISABILITIES CALLED TO ACTIVE SERVICE.

Section 3729(c)(1) is amended by inserting after “retirement pay” the following: “or active service pay”.

TITLE III—SERVICEMEMBERS CIVIL RELIEF ACT MATTERS**SEC. 301. RESIDENTIAL AND MOTOR VEHICLE LEASES.**

Subsection (e) of section 305 of the Servicemembers Civil Relief Act (50 U.S.C. App. 535) is amended to read as follows:

“(e) **ARREARAGES AND OTHER OBLIGATIONS AND LIABILITIES.**—

“(1) **LEASES OF PREMISES.**—Rent amounts for a lease described in subsection (b)(1) that are unpaid for the period preceding the effective date of the lease termination shall be paid on a prorated basis. The lessor may not impose an early termination charge, but any taxes, summonses, or other obligations and liabilities of the lessee in accordance with the terms of the lease, including reasonable charges to the lessee for excess wear, that are due and unpaid at the time of termination of the lease shall be paid by the lessee.

“(2) **LEASES OF MOTOR VEHICLES.**—Lease amounts for a lease described in subsection (b)(2) that are unpaid for the period preceding the effective date of the lease termination shall be paid on a prorated basis. The lessor may not impose an early termination charge, but any taxes, summonses, title and registration fees, or other obligations and liabilities of the lessee in accordance with the terms of the lease, including reasonable charges to the lessee for excess wear or use and mileage, that are due and unpaid at the time of termination of the lease shall be paid by the lessee.”.

SEC. 302. TERMINATION OF TELEPHONE SERVICE CONTRACTS.

(a) **IN GENERAL.**—Section 305A of the Servicemembers Civil Relief Act (50 U.S.C. App. 535a) is amended to read as follows:

“SEC. 305A. TERMINATION OF TELEPHONE SERVICE CONTRACTS.

“(a) **TERMINATION BY SERVICEMEMBER.**—

“(1) **TERMINATION.**—A servicemember may terminate a contract described in subsection (b) at any time after the date the servicemember receives military orders to relocate for a period of not less than 90 days to a location that does not support the contract.

“(2) **NOTICE.**—In the case that a servicemember terminates a contract as described in paragraph (1), the service provider under the contract shall provide such servicemember with written or electronic notice of the servicemember’s rights under such paragraph.

“(3) **MANNER OF TERMINATION.**—Termination of a contract under paragraph (1) shall be made by delivery of a written or electronic notice of such termination and a copy of the servicemember’s military orders to the service provider, delivered in accordance with industry standards for notification of terminations, together with the date on which the service is to be terminated.

“(b) **COVERED CONTRACTS.**—A contract described in this subsection is a contract for cellular telephone service or telephone exchange service entered into by the servicemember before receiving the military orders referred to in subsection (a)(1).

“(c) **RETENTION OF TELEPHONE NUMBER.**—In the case of a contract terminated under subsection (a) by a servicemember whose period of relocation is for a period of three years or less, the service provider under the contract shall, notwithstanding any other provision of law, allow the servicemember to keep the telephone number the servicemember has under the contract if the servicemember re-subscribes to the service during the 90-day period beginning on the last day of such period of relocation.

“(d) **FAMILY PLANS.**—In the case of a contract for cellular telephone service entered into by any individual in which a servicemember is a designated beneficiary of the contract, the individual who entered into the contract may terminate the contract—

“(1) with respect to the servicemember if the servicemember is eligible to terminate contracts pursuant to subsection (a); and

“(2) with respect to all of the designated beneficiaries of such contract if all such beneficiaries accompany the servicemember during the servicemember’s period of relocation.

“(e) **OTHER OBLIGATIONS AND LIABILITIES.**—For any contract terminated under this section, the service provider under the contract may not impose an early termination charge, but any tax or any other obligation or liability of the servicemember that, in accordance with the terms of the contract, is due and unpaid or unperformed at the time of termination of the contract shall be paid or performed by the servicemember. If the servicemember re-subscribes to the service provided under a covered contract during the 90-day period beginning on the last day of the servicemember’s period of relocation, the service provider may not impose a charge for reinstating service, other than the usual and customary charges for the installation or acquisition of customer equipment imposed on any other subscriber.

“(f) **RETURN OF ADVANCE PAYMENTS.**—Not later than 60 days after the effective date of the termination of a contract under this section, the service provider under the contract shall refund to the servicemember any fee or other amount to the extent paid for a period extending until after such date, except for the remainder of the monthly or similar billing period in which the termination occurs.

“(g) **DEFINITIONS.**—For purposes of this section:

“(1) The term ‘cellular telephone service’ means commercial mobile service, as that term is defined in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d)).

“(2) The term ‘telephone exchange service’ has the meaning given that term under section 3 of the Communications Act of 1934 (47 U.S.C. 153).”.

(b) **TECHNICAL AMENDMENT.**—The heading for title III of such Act is amended by inserting “, **TELEPHONE SERVICE CONTRACTS**” after “**LEASES**”.

(c) **CLERICAL AMENDMENTS.**—The table of contents in section 1(b) of such Act is amended—

(1) by striking the item relating to title III and inserting the following new item:

“**TITLE III—RENT, INSTALLMENT CONTRACTS, MORTGAGES, LIENS, ASSIGNMENT, LEASES, TELEPHONE SERVICE CONTRACTS**”; AND

(2) by striking the item relating to section 305A and inserting the following new item:

“**Sec. 305A. Termination of telephone service contracts.**”.

SEC. 303. ENFORCEMENT BY THE ATTORNEY GENERAL AND BY PRIVATE RIGHT OF ACTION.

(a) **IN GENERAL.**—The Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) is amended by adding at the end the following new title:

“TITLE VIII—CIVIL LIABILITY**“SEC. 801. ENFORCEMENT BY THE ATTORNEY GENERAL.**

“(a) **CIVIL ACTION.**—The Attorney General may commence a civil action in any appropriate district court of the United States against any person who—

“(1) engages in a pattern or practice of violating this Act; or

“(2) engages in a violation of this Act that raises an issue of significant public importance.

“(b) **RELIEF.**—In a civil action commenced under subsection (a), the court may—

“(1) grant any appropriate equitable or declaratory relief with respect to the violation of this Act;

“(2) award all other appropriate relief, including monetary damages, to any person aggrieved by the violation; and

“(3) may, to vindicate the public interest, assess a civil penalty—

“(A) in an amount not exceeding \$55,000 for a first violation; and

“(B) in an amount not exceeding \$110,000 for any subsequent violation.

“(c) **INTERVENTION.**—Upon timely application, a person aggrieved by a violation of this Act with respect to which the civil action is commenced may intervene in such action, and may obtain such appropriate relief as the person could obtain in a civil action under section 802 with respect to that violation, along with costs and a reasonable attorney fee.

“SEC. 802. PRIVATE RIGHT OF ACTION.

“(a) **IN GENERAL.**—Any person aggrieved by a violation of this Act may in a civil action—

“(1) obtain any appropriate equitable or declaratory relief with respect to the violation; and

“(2) recover all other appropriate relief, including monetary damages.

“(b) **COSTS AND ATTORNEY FEES.**—The court may award to a person aggrieved by a violation of this Act who prevails in an action brought under subsection (a) the costs of the action, including a reasonable attorney fee.

“SEC. 803. PRESERVATION OF REMEDIES.

“Nothing in section 801 or 802 shall be construed to preclude or limit any remedy otherwise available under other law, including consequential and punitive damages.”.

(b) **CONFORMING AMENDMENTS.**—Such Act is further amended as follows:

(1) Section 207 (50 U.S.C. App. 527) is amended by striking subsection (f).

(2) Section 301(c) (50 U.S.C. App. 531(c)) is amended to read as follows:

“(c) MISDEMEANOR.—Except as provided in subsection (a), a person who knowingly takes part in an eviction or distress described in subsection (a), or who knowingly attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.”.

(3) Section 302(b) (50 U.S.C. App. 532(b)) is amended to read as follows:

“(b) MISDEMEANOR.—A person who knowingly resumes possession of property in violation of subsection (a), or in violation of section 107 of this Act, or who knowingly attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.”.

(4) Section 303(d) (50 U.S.C. App. 533(d)) is amended to read as follows:

“(d) MISDEMEANOR.—A person who knowingly makes or causes to be made a sale, foreclosure, or seizure of property that is prohibited by subsection (c), or who knowingly attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.”.

(5) Section 305(h) (50 U.S.C. App. 535(h)) is amended to read as follows:

“(h) MISDEMEANOR.—Any person who knowingly seizes, holds, or detains the personal effects, security deposit, or other property of a servicemember or a servicemember's dependent who lawfully terminates a lease covered by this section, or who knowingly interferes with the removal of such property from premises covered by such lease, for the purpose of subjecting or attempting to subject any of such property to a claim for rent accruing subsequent to the date of termination of such lease, or attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.”.

(6) Section 306(e) (50 U.S.C. App. 536(e)) is amended to read as follows:

“(e) MISDEMEANOR.—A person who knowingly takes an action contrary to this section, or attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.”.

(7) Section 307(c) (50 U.S.C. App. 537(c)) is amended to read as follows:

“(c) MISDEMEANOR.—A person who knowingly takes an action contrary to this section, or attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.”.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by adding at the end the following new items:

“TITLE VIII—CIVIL LIABILITY

“Sec. 801. Enforcement by the Attorney General.

“Sec. 802. Private right of action.

“Sec. 803. Preservation of remedies.”.

TITLE IV—INSURANCE MATTERS

SEC. 401. INCREASE IN AMOUNT OF SUPPLEMENTAL INSURANCE FOR TOTALLY DISABLED VETERANS.

(a) IN GENERAL.—Section 1922A(a) is amended by striking “\$20,000” and inserting “\$30,000”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2011.

SEC. 402. PERMANENT EXTENSION OF DURATION OF SERVICEMEMBERS' GROUP LIFE INSURANCE COVERAGE FOR TOTALLY DISABLED VETERANS.

(a) EXTENSION.—Section 1968(a) is amended—
(1) in paragraph (1)(A), by striking clause (ii) and inserting the following new clause (ii):

“(ii) The date that is two years after the date of separation or release from such active duty or active duty for training.”; and

(2) in paragraph (4), by striking subparagraph (B) and inserting the following new subparagraph (B):

“(B) The date that is two years after the date of separation or release from such assignment.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to a person who is separated or released on or after June 15, 2005.

SEC. 403. ADJUSTMENT OF COVERAGE OF DEPENDENTS UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.

Clause (ii) of section 1968(a)(5)(B) is amended to read as follows:

“(ii)(I) in the case of a member of the Ready Reserve of a uniformed service who meets the qualifications set forth in subparagraph (B) or (C) of section 1965(5) of this title, 120 days after separation or release from such assignment; or

“(II) in the case of any other member of the uniformed services, 120 days after the date of the member's separation or release from the uniformed services; or”.

SEC. 404. OPPORTUNITY TO INCREASE AMOUNT OF VETERANS' GROUP LIFE INSURANCE.

(a) OPPORTUNITY TO INCREASE AMOUNT.—Section 1977(a) is amended—

(1) in paragraph (1), by inserting “Except as provided in paragraph (3),” before “Veterans' Group Life Insurance shall be”; and

(2) by adding after paragraph (2) the following new paragraph:

“(3) Not more than once in each five-year period beginning on the one-year anniversary of the date a person becomes insured under Veterans' Group Life Insurance, such person may elect in writing to increase by \$25,000 the amount for which the person is insured if—

“(A) the person is under the age of 60; and

“(B) the total amount for which the person is insured does not exceed the amount provided for under section 1967(a)(3)(A)(i) of this title.”.

(b) EFFECTIVE DATE.—Paragraph (3) of section 1977(a) of title 38, United States Code, as added by subsection (a), shall take effect on the date that is 180 days after the date of the enactment of this Act.

SEC. 405. ELIMINATION OF REDUCTION IN AMOUNT OF ACCELERATED DEATH BENEFIT FOR TERMINALLY-ILL PERSONS INSURED UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE AND VETERANS' GROUP LIFE INSURANCE.

(a) ELIMINATION OF REDUCTION.—Section 1980(b)(1) is amended by striking “reduced by” and all that follows through “the Secretary”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to a payment of an accelerated death benefit under section 1980 of title 38, United States Code, made on or after the date of the enactment of this Act.

SEC. 406. CONSIDERATION OF LOSS OF DOMINANT HAND IN PRESCRIPTION OF SCHEDULE OF SEVERITY OF TRAUMATIC INJURY UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.

(a) SCHEDULE.—

(1) IN GENERAL.—Section 1980A(d) is amended—

(A) by striking “Payments under” and inserting “(1) Payments under”; and

(B) by adding at the end the following new paragraph:

“(2) As the Secretary considers appropriate, the schedule required by paragraph (1) may distinguish in specifying payments for qualifying losses between the severity of a qualifying loss of a dominant hand and of a qualifying loss of a nondominant hand.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2011.

(b) PAYMENTS FOR QUALIFYING LOSSES INCURRED BEFORE DATE OF ENACTMENT.—

(1) IN GENERAL.—To the extent necessary, the Secretary of Veterans Affairs shall prescribe in regulations mechanisms for payments under section 1980A of title 38, United States Code, for qualifying losses incurred before the date of the enactment of this Act, by reason of paragraph

(2) of subsection (d) of such section (as added by subsection (a)(1) of this section).

(2) QUALIFYING LOSS DEFINED.—In this subsection, the term “qualifying loss” means—

(A) a loss specified in the second sentence of subsection (b)(1) of section 1980A of title 38, United States Code; and

(B) any other loss specified by the Secretary of Veterans Affairs pursuant to the first sentence of that subsection.

SEC. 407. ENHANCEMENT OF VETERANS' MORTGAGE LIFE INSURANCE.

(a) IN GENERAL.—Section 2106(b) is amended by striking “\$90,000” and inserting “\$150,000, or after January 1, 2012, \$200,000.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2011.

SEC. 408. EXPANSION OF INDIVIDUALS QUALIFYING FOR RETROACTIVE BENEFITS FROM TRAUMATIC INJURY PROTECTION COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.

(a) IN GENERAL.—Paragraph (1) of section 501(b) of the Veterans' Housing Opportunity and Benefits Improvement Act of 2006 (Public Law 109–233; 120 Stat. 414; 38 U.S.C. 1980A note) is amended by striking “, if, as determined by the Secretary concerned, that loss was a direct result of a traumatic injury incurred in the theater of operations for Operation Enduring Freedom or Operation Iraqi Freedom”.

(b) CONFORMING AMENDMENT.—The heading of such section is amended by striking “IN OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2011.

TITLE V—BURIAL AND CEMETERY MATTERS

SEC. 501. INCREASE IN CERTAIN BURIAL AND FUNERAL BENEFITS AND PLOT ALLOWANCES FOR VETERANS.

(a) INCREASE IN BURIAL AND FUNERAL EXPENSES FOR DEATHS IN DEPARTMENT FACILITIES.—Paragraph (1)(A) of subsection (a) of section 2303 is amended by striking “\$300” and inserting “\$700 (as increased from time to time under subsection (c))”.

(b) INCREASE IN AMOUNT OF PLOT ALLOWANCES.—Subsection (b) of such section is amended by striking “\$300” both places it appears and inserting “\$700 (as increased from time to time under subsection (c))”.

(c) ANNUAL ADJUSTMENT.—Such section is further amended by adding at the end the following new subsection:

“(c) With respect to any fiscal year, the Secretary shall provide a percentage increase (rounded to the nearest dollar) in the maximum amount of burial and funeral expenses payable under subsection (a) and in the maximum amount of the plot or internment allowance payable under subsection (b), equal to the percentage by which—

“(1) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

“(2) the Consumer Price Index for the 12-month period preceding the 12-month period described in paragraph (1).”.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to deaths occurring on or after October 1, 2011.

(2) PROHIBITION ON COST-OF-LIVING ADJUSTMENT FOR FISCAL YEAR 2012.—No adjustments shall be made under section 2303(c) of title 38, United States Code, as added by subsection (c), for fiscal year 2012.

SEC. 502. INTERMENT IN NATIONAL CEMETERIES OF PARENTS OF CERTAIN DECEASED VETERANS.

(a) SHORT TITLE.—This section may be cited as the “Corey Shea Act”.

(b) INTERMENT OF PARENTS OF CERTAIN DECEASED VETERANS.—Section 2402 is amended—

(1) in the matter preceding paragraph (1), by striking “Under such regulations” and inserting “(a) Under such regulations”;

(2) by moving the margins of paragraphs (1) through (8) two ems to the right;

(3) by inserting after paragraph (8) the following new paragraph:

“(9)(A) The parent of a person described in subparagraph (B), if the Secretary determines that there is available space at the gravesite where the person described in subparagraph (B) is interred.

“(B) A person described in this subparagraph is a person described in paragraph (1) who—

“(i) is a hostile casualty or died from a training-related injury;

“(ii) is interred in a national cemetery; and

“(iii) at the time of the person’s parent’s death, did not have a spouse, surviving spouse, or child who is buried or who, upon death, may be eligible for burial in a national cemetery pursuant to paragraph (5).”; and

(4) by adding at the end the following new subsection:

“(b) For purposes of subsection (a)(9) of this section:

“(1) The term ‘parent’ means a biological father or a biological mother or, in the case of adoption, a father through adoption or a mother through adoption.

“(2) The term ‘hostile casualty’ means a person who, as a member of the Armed Forces, dies as the direct result of hostile action with the enemy, while in combat, while going to or returning from a combat mission if the cause of death was directly related to hostile action, or while hospitalized or undergoing treatment at the expense of the United States for injury incurred during combat, and includes a person killed mistakenly or accidentally by friendly fire directed at a hostile force or what is thought to be a hostile force, but does not include a person who dies due to the elements, a self-inflicted wound, combat fatigue, or a friendly force while the person was in an absent-without-leave, deserter, or dropped-from-rolls status or was voluntarily absent from a place of duty.

“(3) The term ‘training-related injury’ means an injury incurred by a member of the Armed Forces while performing authorized training activities in preparation for a combat mission.”.

(c) GUIDANCE REQUIRED.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall develop guidance under which the parent of a person described in paragraph (9)(B) of subsection (a) of section 2402 of title 38, United States Code, as added by subsection (b), may be designated for interment in a national cemetery under that section.

(d) CONFORMING AMENDMENTS.—

(1) CROSS-REFERENCE CORRECTION.—Section 107 is amended by striking “section 2402(8)” both places it appears and inserting “section 2402(a)(8)”.

(2) CROSS-REFERENCE CORRECTION.—Section 2301(e) is amended by striking “section 2402(6)” and inserting “section 2402(a)(6)”.

(3) CROSS-REFERENCE CORRECTION.—Section 2306(a) is amended—

(A) in paragraph (2), by striking “section 2402(4)” and inserting “section 2402(a)(4)”; and

(B) in paragraph (4), by striking “section 2402(5)” and inserting “section 2402(a)(5)”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the death, on or after the date of the enactment of this Act, of the parent of a person described in paragraph (9)(B) of subsection (a) of section 2402 of title 38, United States Code, as added by subsection (b), who dies on or after October 7, 2001.

SEC. 503. REPORTS ON SELECTION OF NEW NATIONAL CEMETERIES.

(a) INITIAL REPORT.—

(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act,

the Secretary of Veterans Affairs shall submit to Congress a report on the selection of the sites described in paragraph (2) for the purpose of establishing new national cemeteries.

(2) SITES.—The sites described in this paragraph are the following:

(A) An area in southern Colorado.

(B) An area near Melbourne, Florida, and Daytona, Florida.

(C) An area near Omaha, Nebraska.

(D) An area near Buffalo, New York, and Rochester, New York.

(E) An area near Tallahassee, Florida.

(3) SITE SELECTION.—In carrying out this section, the Secretary shall solicit advice and views of representatives of State and local veterans organizations and other individuals as the Secretary considers appropriate.

(4) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) A schedule for the establishment of each cemetery at each site described in paragraph (2) and an estimate of the costs associated with the establishment of each such cemetery.

(B) As of the date of the submittal of the report, the amount of funds that are available to establish each cemetery at each site described in paragraph (2) from amounts appropriated to the Department of Veterans Affairs for Advance Planning.

(b) ANNUAL REPORTS.—Not later than two years after the date of the enactment of this Act, and each year thereafter until the date on which each cemetery at each site described in subsection (a)(2) is established, the Secretary shall submit to Congress an annual report that includes updates to the information provided in the report under subsection (a).

TITLE VI—COMPENSATION AND PENSION

SEC. 601. ENHANCEMENT OF DISABILITY COMPENSATION FOR CERTAIN DISABLED VETERANS WITH DIFFICULTIES USING PROSTHESES AND DISABLED VETERANS IN NEED OF REGULAR AID AND ATTENDANCE FOR RESIDUALS OF TRAUMATIC BRAIN INJURY.

(a) VETERANS SUFFERING ANATOMICAL LOSS OF HANDS, ARMS, OR LEGS.—Section 1114 is amended—

(1) in subsection (m)—

(A) by striking “at a level, or with complications,” and inserting “with factors”; and

(B) by striking “at levels, or with complications,” and inserting “with factors”;

(2) in subsection (n)—

(A) by striking “at levels, or with complications,” and inserting “with factors”;

(B) by striking “so near the hip as to” and inserting “with factors that”; and

(C) by striking “so near the shoulder and hip as to” and inserting “with factors that”; and

(3) in subsection (o), by striking “so near the shoulder as to” and inserting “with factors that”.

(b) VETERANS WITH SERVICE-CONNECTED DISABILITIES IN NEED OF REGULAR AID AND ATTENDANCE FOR RESIDUALS OF TRAUMATIC BRAIN INJURY.—

(1) IN GENERAL.—Such section is further amended—

(A) in subsection (p), by striking the semicolon at the end and inserting a period; and

(B) by adding at the end the following new subsection:

“(t) Subject to section 5503(c) of this title, if any veteran, as the result of service-connected disability, is in need of regular aid and attendance for the residuals of traumatic brain injury, is not eligible for compensation under subsection (r)(2), and in the absence of such regular aid and attendance would require hospitalization, nursing home care, or other residential institutional care, the veteran shall be paid, in addition to any other compensation under this section, a monthly aid and attendance allowance equal to the rate described in subsection (r)(2), which for purposes of section 1134 of this title shall be considered as additional compensation

payable for disability. An allowance authorized under this subsection shall be paid in lieu of any allowance authorized by subsection (r)(1).”.

(2) CONFORMING AMENDMENT.—Section 5503(c) is amended by striking “in section 1114(r)” and inserting “in subsection (r) or (t) of section 1114”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2011.

SEC. 602. COST-OF-LIVING INCREASE FOR TEMPORARY DEPENDENCY AND INDEMNITY COMPENSATION PAYABLE FOR SURVIVING SPOUSES WITH DEPENDENT CHILDREN UNDER THE AGE OF 18.

Section 1311(f) is amended—

(1) in paragraph (1), by inserting “(as increased from time to time under paragraph (4))” after “\$250”;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph (4):

“(4) Whenever there is an increase in benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) as a result of a determination made under section 215(i) of such Act (42 U.S.C. 415(i)), the Secretary shall, effective on the date of such increase in benefit amounts, increase the amount payable under paragraph (1), as such amount was in effect immediately prior to the date of such increase in benefit amounts, by the same percentage as the percentage by which such benefit amounts are increased. Any increase in a dollar amount under this paragraph shall be rounded down to the next lower whole dollar amount.”.

SEC. 603. PAYMENT OF DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVORS OF FORMER PRISONERS OF WAR WHO DIED ON OR BEFORE SEPTEMBER 30, 1999.

(a) IN GENERAL.—Section 1318(b)(3) is amended by striking “who died after September 30, 1999,”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2011.

SEC. 604. EXCLUSION OF CERTAIN AMOUNTS FROM CONSIDERATION AS INCOME FOR PURPOSES OF VETERANS PENSION BENEFITS.

(a) EXCLUSION.—Section 1503(a) is amended—

(1) by striking “and” at the end of paragraph (10);

(2) by redesignating paragraph (11) as paragraph (12); and

(3) by inserting after paragraph (10) the following new paragraph (11):

“(11) payment of a monetary amount of up to \$5,000 to a veteran from a State or municipality that is paid as a veterans’ benefit due to injury or disease; and”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to determinations of income for calendar years beginning after October 1, 2011.

SEC. 605. COMMENCEMENT OF PERIOD OF PAYMENT OF ORIGINAL AWARDS OF COMPENSATION FOR VETERANS RETIRED OR SEPARATED FROM THE UNIFORMED SERVICES FOR CATASTROPHIC DISABILITY.

(a) COMMENCEMENT OF PERIOD OF PAYMENT.—Subsection (a) of section 5111 is amended—

(1) by inserting “(1)” after “(a)”; and

(2) in paragraph (1), as so designated by paragraph (1) of this subsection, by striking “in subsection (c) of this section” and inserting “in paragraph (2) and subsection (c)”; and

(3) by adding at the end the following new paragraph:

“(2)(A) In the case of a veteran who is retired or separated from the active military, naval, or air service for a catastrophic disability or disabilities, payment of monetary benefits based on an award of compensation based on an original

claim shall be made as of the date on which such award becomes effective as provided under section 5110 of this title or another applicable provision of law.

“(B) For the purposes of this paragraph, the term ‘catastrophic disability’, with respect to a veteran, means a permanent, severely disabling injury, disorder, or disease that compromises the ability of the veteran to carry out the activities of daily living to such a degree that the veteran requires personal or mechanical assistance to leave home or bed, or requires constant supervision to avoid physical harm to self or others.”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on October 1, 2011, and shall apply with respect to awards of compensation based on original claims that become effective on or after that date.

SEC. 606. APPLICABILITY OF LIMITATION TO PENSION PAYABLE TO CERTAIN CHILDREN OF VETERANS OF A PERIOD OF WAR.

Section 5503(d)(5) is amended—

(1) by striking “(A)” after “(5)”; and

(2) by adding at the end the following new subparagraph:

“(B) The provisions of this subsection shall apply with respect to a child entitled to pension under section 1542 of this title in the same manner as they apply to a veteran having neither spouse nor child.”.

SEC. 607. EXTENSION OF REDUCED PENSION FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES.

Section 5503(d)(7) is amended by striking “September 30, 2011” and inserting “May 31, 2015”.

SEC. 608. CODIFICATION OF 2009 COST-OF-LIVING ADJUSTMENT IN RATES OF PENSION FOR DISABLED VETERANS AND SURVIVING SPOUSES AND CHILDREN.

(a) **DISABLED VETERANS.**—Section 1521 of title 38, United States Code, is amended—

(1) in subsection (b), by striking “\$3,550” and inserting “\$11,830”;

(2) in subsection (c)—
(A) by striking “\$4,651” and inserting “\$15,493”; and

(B) by striking “\$600” and inserting “\$2,020”;

(3) in subsection (d)—
(A) in paragraph (1), by striking “\$5,680” and inserting “\$19,736”; and

(B) in paragraph (2)—
(i) by striking “\$6,781” and inserting “\$23,396”; and

(ii) by striking “\$600” and inserting “\$2,020”;

(4) in subsection (e)—
(A) by striking “\$4,340” and inserting “\$14,457”;

(B) by striking “\$5,441” and inserting “\$18,120”; and

(C) by striking “\$600” and inserting “\$2,020”;

(5) in subsection (f)—
(A) in paragraph (1), by striking “\$4,651” and inserting “\$15,493”;

(B) in paragraph (2)—
(i) by striking “\$6,781” and inserting “\$23,396”; and

(ii) by striking “\$8,911” and inserting “\$30,480”;

(C) in paragraph (3)—
(i) by striking “\$5,441” and inserting “\$18,120”; and

(ii) by striking “\$6,231” and inserting “\$20,747”;

(D) in paragraph (4), by striking “\$7,571” and inserting “\$26,018”; and

(E) in paragraph (5), by striking “\$600” and inserting “\$2,020”; and

(6) in subsection (g), by striking “\$800” and inserting “\$2,686”.

(b) **SURVIVING SPOUSES.**—Section 1541 of such title is amended—

(1) in subsection (b), by striking “\$2,379” and inserting “\$7,933”;

(2) in subsection (c)—

(A) by striking “\$3,116” and inserting “\$10,385”; and

(B) by striking “\$600” and inserting “\$2,020”;

(3) in subsection (d)—

(A) in paragraph (1), by striking “\$3,806” and inserting “\$12,681”; and

(B) in paragraph (2)—

(i) by striking “\$4,543” and inserting “\$15,128”; and

(ii) by striking “\$600” and inserting “\$2,020”;

and

(4) in subsection (e)(1)—
(A) by striking “\$2,908” and inserting “\$9,696”;

(B) by striking “\$3,645” and inserting “\$12,144”; and

(C) by striking “\$600” and inserting “\$2,020”.

(d) **SURVIVING CHILDREN.**—Section 1542 of such title is amended by striking “\$600” and inserting “\$2,020” both places it appears.

(d) **EFFECTIVE DATE.**—The amendments made by subsections (a), (b), and (c) shall apply with respect to pensions paid on or after December 1, 2009.

TITLE VII—EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES

SEC. 701. CLARIFICATION THAT USERRA PROHIBITS WAGE DISCRIMINATION AGAINST MEMBERS OF THE ARMED FORCES.

(a) **IN GENERAL.**—Section 4303(2) is amended by striking “other than” and inserting “including”.

(b) **APPLICATION.**—The amendment made by subsection (a) shall apply to—

(1) any failure to comply with a provision of or any violation of chapter 43 of title 38, United States Code, that occurs before, on, or after the date of the enactment of this Act; and

(2) all actions or complaints filed under such chapter 43 that are pending on or after the date of the enactment of this Act.

SEC. 702. CLARIFICATION OF THE DEFINITION OF “SUCCESSOR IN INTEREST”.

(a) **IN GENERAL.**—Section 4303(4) is amended by adding at the end the following new subparagraph:

“(D)(i) Whether the term ‘successor in interest’ applies with respect to an entity described in subparagraph (A) for purposes of clause (iv) of such subparagraph shall be determined on a case-by-case basis using a multi-factor test that considers the following factors:

“(I) Substantial continuity of business operations.

“(II) Use of the same or similar facilities.

“(III) Continuity of work force.

“(IV) Similarity of jobs and working conditions.

“(V) Similarity of supervisory personnel.

“(VI) Similarity of machinery, equipment, and production methods.

“(VII) Similarity of products or services.

“(ii) The entity’s lack of notice or awareness of a potential or pending claim under this chapter at the time of a merger, acquisition, or other form of succession shall not be considered when applying the multi-factor test under clause (i).”.

(b) **APPLICATION.**—The amendment made by subsection (a) shall apply to—

(1) any failure to comply with a provision of or any violation of chapter 43 of title 38, United States Code, that occurs before, on, or after the date of the enactment of this Act; and

(2) all actions or complaints filed under such chapter 43 that are pending on or after the date of the enactment of this Act.

SEC. 703. TECHNICAL AMENDMENTS.

(a) **AMENDMENT TO SECTION 4324 OF TITLE 38, UNITED STATES CODE.**—Section 4324(b)(4) is amended by inserting before the period the following: “declining to initiate an action and represent the person before the Merit Systems Protection Board”.

(b) **AMENDMENT TO CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.**—Section 206(b) of the Con-

gressional Accountability Act of 1995 (2 U.S.C. 1316(b)) is amended by striking “under paragraphs (1), (2)(A), and (3) of section 4323(c) of title 38, United States Code” and inserting “under section 4323(d) of title 38, United States Code”.

(c) **AMENDMENT TO SECTION 416 OF TITLE 3, UNITED STATES CODE.**—Section 416(b) of title 3, United States Code, is amended by striking “under paragraphs (1) and (2)(A) of section 4323(c) of title 38” and inserting “under section 4323(d) of title 38”.

TITLE VIII—BENEFITS MATTERS

SEC. 801. INCREASE IN NUMBER OF VETERANS FOR WHICH PROGRAMS OF INDEPENDENT LIVING SERVICES AND ASSISTANCE MAY BE INITIATED.

(a) **INCREASE.**—Section 3120(e) is amended by striking “2600” and inserting “2,700”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to fiscal years beginning after the date of the enactment of this Act.

SEC. 802. PAYMENT OF UNPAID BALANCES OF DEPARTMENT OF VETERANS AFFAIRS GUARANTEED LOANS.

(a) **IN GENERAL.**—Section 3732(a)(2) is amended—

(1) by striking “Before suit” and inserting “(A) Before suit”; and

(2) by adding at the end the following new subparagraph:

“(B) In the event that a housing loan guaranteed under this chapter is modified under the authority provided under section 1322(b) of title 11, the Secretary may pay the holder of the obligation the unpaid principal balance of the obligation due, plus accrued interest, as of the date of the filing of the petition under title 11, but only upon the assignment, transfer, and delivery to the Secretary (in a form and manner satisfactory to the Secretary) of all rights, interest, claims, evidence, and records with respect to the housing loan.”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply with respect to a housing loan guaranteed after the date of the enactment of this Act.

SEC. 803. ELIGIBILITY OF DISABLED VETERANS AND MEMBERS OF THE ARMED FORCES WITH SEVERE BURN INJURIES FOR AUTOMOBILES AND ADAPTIVE EQUIPMENT.

(a) **ELIGIBILITY.**—Paragraph (1) of section 3901 is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking “the disabilities described in subclause (i), (ii), or (iii) below” and inserting “the following disabilities”; and

(B) by adding at the end the following new clause:

“(iv) A severe burn injury (as determined pursuant to regulations prescribed by the Secretary).”; and

(2) in subparagraph (B), by striking “subclause (i), (ii), or (iii) of clause (A) of this paragraph” and inserting “clause (i), (ii), (iii), or (iv) of subparagraph (A)”.

(b) **STYLISTIC AMENDMENTS.**—Such section is further amended—

(1) in the matter preceding paragraph (1), by striking “chapter—” and inserting “chapter.”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “means—” and inserting “means the following.”;

(B) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking “any veteran” and inserting “Any veteran”;

(ii) in each of clauses (i) and (ii), by striking the semicolon at the end and inserting a period; and

(iii) in clause (iii), by striking “; or” and inserting a period; and

(C) in subparagraph (B), by striking “any member” and inserting “Any member”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 1, 2011.

SEC. 804. ENHANCEMENT OF AUTOMOBILE ASSISTANCE ALLOWANCE FOR VETERANS.

(a) **INCREASE IN AMOUNT OF ALLOWANCE.**—Subsection (a) of section 3902 is amended by striking “\$11,000” and inserting “\$18,900 (as adjusted from time to time under subsection (e))”.

(b) **ANNUAL ADJUSTMENT.**—Such section is further amended by adding at the end the following new subsection:

“(e) Effective on October 1 of each year (beginning in 2011), the Secretary shall increase the dollar amount in effect under subsection (a) by a percentage equal to the percentage by which the Consumer Price Index for all urban consumers (U.S. city average) increased during the 12-month period ending with the last month for which Consumer Price Index data is available. In the event that such Consumer Price Index does not increase during such period, the Secretary shall maintain the dollar amount in effect under subsection (a) during the previous fiscal year.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 1, 2011.

SEC. 805. NATIONAL ACADEMIES REVIEW OF BEST TREATMENTS FOR CHRONIC MULTISYMPTOM ILLNESS IN PERSIAN GULF WAR VETERANS.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs shall seek to enter into an agreement with the Institute of Medicine of the National Academies to carry out a comprehensive review of the best treatments for chronic multisymptom illness in Persian Gulf War veterans and an evaluation of how such treatment approaches could best be disseminated throughout the Department of Veterans Affairs to improve the care and benefits provided to veterans.

(b) **GROUP OF MEDICAL PROFESSIONALS.**—Under any agreement entered into under subsection (a), the Institute of Medicine shall convene a group of medical professionals who are experienced in treating individuals who served as members of the Armed Forces in the Southwest Asia Theater of Operations of the Persian Gulf War during 1990 or 1991 and who have been diagnosed with chronic multisymptom illness or another health condition related to chemical and environmental exposure that may have occurred during such service.

(c) **REPORT.**—Any agreement entered into under subsection (a) shall require the Institute of Medicine to submit to the Secretary and to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the review and evaluation described in subsection (a) by not later than December 31, 2012. The report shall include such recommendations for legislative or administrative action as the Institute considers appropriate in light of the results of the review.

(d) **FUNDING.**—Pursuant to any agreement entered into under subsection (a), the Secretary shall provide the Institute of Medicine with such funds as are necessary to ensure the timely completion of the review described that subsection.

(e) **DEFINITIONS.**—For purposes of this section:

(1) The term “chronic multisymptom illness in Persian Gulf War veterans” means a chronic multisymptom illness defined by a cluster of signs or symptoms relating to service in the Persian Gulf War, typically including widespread pain, persistent memory and concentration problems, chronic headaches, gastrointestinal problems, and other abnormalities not explained by well-established diagnoses.

(2) The term “Persian Gulf War” has the meaning given that term in section 101(33) of title 38, United States Code.

SEC. 806. EXTENSION AND MODIFICATION OF NATIONAL ACADEMY OF SCIENCES REVIEWS AND EVALUATIONS ON ILLNESS AND SERVICE IN PERSIAN GULF WAR AND POST-9/11 GLOBAL OPERATIONS THEATERS.

(a) **REVIEW AND EVALUATION OF AGENTS AND ILLNESSES ASSOCIATED WITH PERSIAN GULF WAR SERVICE.**—

(1) **EXTENSION OF REVIEW AND EVALUATION.**—Subsection (j) of section 1603 of the Persian Gulf War Veterans Act of 1998 (Public Law 105-277; 38 U.S.C. 1117 note), as amended by section 202(d)(2) of the Veterans Education and Benefits Expansion Act of 2001 (Public Law 107-173; 115 Stat. 989), is amended by striking “October 1, 2010” and inserting “October 1, 2015”.

(2) **DISAGGREGATION OF RESULTS BY THEATERS OF OPERATIONS BEFORE AND AFTER SEPTEMBER 11, 2001.**—Such section is further amended—

(A) in subsection (c)(1)(A), by striking “who served in the Southwest Asia theater of operations” and all that follows and inserting “who may have been exposed by reason of service in the Southwest Asia theater of operations during the Persian Gulf War or, after September 11, 2001, in another Post-9/11 Global Theater of Operations; and”;

(B) in subsection (g)(1), by striking “Gulf War service” and inserting “service described in subsection (c)(1)(A)”;

(C) in subsection (i)—

(i) in paragraph (1), by striking “paragraph (5)” and inserting “paragraph (6)”;

(ii) by redesignating paragraph (5) as paragraph (6); and

(iii) by inserting after paragraph (4) the following new paragraph (5):

“(5) In each report under this subsection submitted after the date of the enactment of this paragraph, any determinations, results, and recommendations as described in paragraph (2) shall be submitted separately as follows:

“(A) For the Southwest Asia theater of operations for the period of the Persian Gulf War ending on September 11, 2001.

“(B) For the Post-9/11 Global Theaters of Operations for the period of the Persian Gulf War beginning on September 11, 2001.”; and

(D) by adding at the end the following new subsection:

“(l) **DEFINITIONS.**—In this section:

“(1) The term ‘Persian Gulf War’ has the meaning given that term in section 101(33) of title 38, United States Code.

“(2) The term ‘Post-9/11 Global Theater of Operations’ means Afghanistan, Iraq, and any other theater of operations for which the Global War on Terrorism Expeditionary Medal is awarded for service.”.

(b) **REVIEW AND EVALUATION OF AVAILABLE EVIDENCE REGARDING ILLNESS AND SERVICE IN PERSIAN GULF WAR.**—

(1) **IN GENERAL.**—Subsection (j) of section 101 of the Veterans Programs Enhancement Act of 1998 (Public Law 105-368; 112 Stat. 3321) is amended by striking “11 years after” and all that follows through “under subsection (b)” and inserting “on October 1, 2018”.

(2) **DISAGGREGATION OF RESULTS BY THEATERS OF OPERATIONS BEFORE AND AFTER SEPTEMBER 11, 2001.**—Such section is further amended—

(A) in subsection (c)(1)—

(i) in the matter preceding subparagraph (A), by striking “Gulf War veterans” and all that follows through “Persian Gulf War” and inserting “veterans who served in the Armed Forces in the Southwest Asia theater of operations during the Persian Gulf War or, after September 11, 2001, in another Post-9/11 Global Theater of Operations and the health consequences of exposures to risk factors during such service”; and

(ii) in subparagraph (A), by striking “who served” and all that follows through “such service” and inserting “who may have been exposed by reason of service in the Southwest Asia theater of operations during the Persian Gulf War or, after September 11, 2001, in another Post-9/11 Global Theater of Operations”;

(B) in subsection (e)(1)—

(i) in the matter preceding subparagraph (A), by striking “Gulf War service or exposure during Gulf War service” and inserting “service in the Armed Forces in the Southwest Asia theater of operations during the Persian Gulf War or, after September 11, 2001, in another Post-9/11 Global Theater of Operations or exposure during such service”; and

(ii) in subparagraphs (E) and (F), by striking “Gulf War veterans” each place it appears and inserting “veterans described in subsection (c)(1)”;

(C) in subsection (f)(1)—

(i) by striking “service in the Persian Gulf War” and inserting “service described in subsection (c)(1)(A)”;

(ii) by striking “Gulf War service” and inserting “such service”;

(D) in subsection (h), by adding at the end the following new paragraph:

“(5) In each report under this subsection submitted after the date of the enactment of this paragraph, any determinations, discussions, and recommendations as described in paragraph (2) shall be submitted separately as follows:

“(A) For the Southwest Asia theater of operations for the period of the Persian Gulf War ending on September 11, 2001.

“(B) For the Post-9/11 Global Theaters of Operations for the period of the Persian Gulf War beginning on September 11, 2001.”;

(E) in subsection (i)—

(i) in paragraph (2)—

(I) by striking “Persian Gulf War service” and inserting “service described in subsection (c)(1)(A)”;

(II) by striking “service in the Persian Gulf War” and inserting “such service”; and

(III) by striking “Gulf War veterans” and inserting “veterans described in subsection (c)(1)(A)”;

(ii) by adding at the end the following new paragraph:

“(4) In each report under this subsection submitted after the date of the enactment of this paragraph, any recommendations as described in paragraph (2) shall be submitted separately as follows:

“(A) For the Southwest Asia theater of operations for the period of the Persian Gulf War ending on September 11, 2001.

“(B) For the Post-9/11 Global Theaters of Operations for the period of the Persian Gulf War beginning on September 11, 2001.”; and

(F) in subsection (k)—

(i) by striking “In this section, the term” and inserting the following: “In this section:

“(1) The term ‘Persian Gulf War’ has the meaning given that term in section 101(33) of title 38, United States Code.

“(2) The term ‘Post-9/11 Global Theater of Operations’ means Afghanistan, Iraq, and any other theater of operations for which the Global War on Terrorism Expeditionary Medal is awarded for service.

“(3) The term”;

(ii) in paragraph (3), as designated by clause (i)—

(I) by striking “vaccine associated with Gulf War service” means” and inserting “vaccine”, with respect to service described in subsection (c)(1)(A), means”; and

(II) by striking “service in the Armed Forces in the Southwest Asia theater of operations during the Persian Gulf War” and inserting “service described in such subsection (c)(1)(A)”.

(3) **CONFORMING AMENDMENT.**—Section 1604 of the Persian Gulf War Veterans Act of 1998 (Public Law 105-277; 38 U.S.C. 1117 note) is repealed.

SEC. 807. EXTENSION OF AUTHORITY FOR REGIONAL OFFICE IN REPUBLIC OF THE PHILIPPINES.

(a) **EXTENSION OF AUTHORITY.**—Section 315(b) is amended by striking “December 31, 2010” and inserting “December 31, 2011”.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit

to the Committee on Veterans' Affairs and the Committee on Appropriations of the Senate and the Committee on Veterans' Affairs and the Committee on Appropriations of the House of Representatives a report on the regional office of the Department of Veterans Affairs in the Republic of the Philippines.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the activities of the office described in such paragraph, including activities relating to the administration of benefits provided under laws administered by the Secretary of Veterans Affairs and benefits provided under the Social Security Act (42 U.S.C. 301 et seq.).

(B) An assessment of the costs and benefits of maintaining such office in the Republic of the Philippines in comparison with the costs and benefits of moving the activities of such office to the United States.

SEC. 808. EXTENSION OF AN ANNUAL REPORT ON EQUITABLE RELIEF.

Section 503(c) is amended by striking "December 31, 2009" and inserting "December 31, 2014".

SEC. 809. AUTHORITY FOR THE PERFORMANCE OF MEDICAL DISABILITY EXAMINATIONS BY CONTRACT PHYSICIANS.

Section 704(c) of the Veterans Benefits Act of 2003 (Public Law 108-183; 38 U.S.C. 5101 note), as amended by section 105 of the Veterans' Benefits Improvement Act of 2008 (Public Law 110-389; 122 Stat. 4149) is amended by striking "December 31, 2010" and inserting "December 31, 2012".

TITLE IX—AUTHORIZATION OF MEDICAL FACILITY PROJECTS AND MAJOR MEDICAL FACILITY LEASES

SEC. 901. AUTHORIZATION OF FISCAL YEAR 2011 MAJOR MEDICAL FACILITY LEASES.

The Secretary of Veterans Affairs may carry out the following fiscal year 2011 major medical facility leases at the locations specified, in an amount not to exceed the amount shown for each such location:

(1) Billings, Montana, Community Based Outpatient Clinic, in an amount not to exceed \$7,149,000.

(2) Boston, Massachusetts, Outpatient Clinic, in an amount not to exceed \$3,316,000.

(3) San Diego, California, Community Based Outpatient Clinic, in an amount not to exceed \$21,495,000.

(4) San Francisco, California, Research Lab, in an amount not to exceed \$10,055,000.

(5) San Juan, Puerto Rico, Mental Health Facility, in an amount not to exceed \$5,323,000.

SEC. 902. MODIFICATION OF AUTHORIZATION AMOUNT FOR MAJOR MEDICAL FACILITY CONSTRUCTION PROJECT PREVIOUSLY AUTHORIZED FOR THE DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, NEW ORLEANS, LOUISIANA.

Section 801(a)(1) of the Veterans Benefits, Health Care, and Information Technology Act of 2006 (Public Law 109-461; 120 Stat. 3442), as amended by section 702(a)(1) of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110-387; 122 Stat. 4137), is amended by striking "\$625,000,000" and inserting "\$995,000,000".

SEC. 903. MODIFICATION OF AUTHORIZATION AMOUNT FOR MAJOR MEDICAL FACILITY CONSTRUCTION PROJECT PREVIOUSLY AUTHORIZED FOR THE DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, LONG BEACH, CALIFORNIA.

Section 802(9) of the Veterans Benefits, Health Care, and Information Technology Act of 2006 (Public Law 109-461; 120 Stat. 3443) is amended by striking "\$107,845,000" and inserting "\$117,845,000".

SEC. 904. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs

for fiscal year 2011 for the Construction, Major Projects account \$1,112,845,000, of which—

(1) \$995,000,000 is for the increased amounts authorized for the project whose authorization is modified by section 902; and

(2) \$117,845,000 is for the increased amounts authorized for the project whose authorization is modified by section 903.

(b) AUTHORIZATION OF APPROPRIATIONS FOR MEDICAL FACILITY LEASES.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2011 for the Medical Facilities account \$47,338,000 for the leases authorized in section 901.

(c) LIMITATIONS.—The projects whose authorizations are modified under sections 902 and 903 may only be carried out using—

(1) funds appropriated for fiscal year 2011 pursuant to the authorization of appropriations in subsection (a) of this section;

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2011 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2011 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2011 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before 2011 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after 2011 for a category of activity not specific to a project.

SEC. 905. REQUIREMENT THAT BID SAVINGS ON MAJOR MEDICAL FACILITY PROJECTS OF DEPARTMENT OF VETERANS AFFAIRS BE USED FOR OTHER MAJOR MEDICAL FACILITY CONSTRUCTION PROJECTS OF THE DEPARTMENT.

Section 8104(d) is amended—

(1) by striking "In any case" and inserting "(1) Except as provided in paragraph (2), in any case"; and

(2) by adding at the end the following new paragraph:

"(2)(A) In any fiscal year, unobligated amounts in the Construction, Major Projects account that are a direct result of bid savings from a major medical facility project may only be obligated for major medical facility projects authorized for that fiscal year or a previous fiscal year.

"(B) Whenever the Secretary obligates amounts for a major medical facility under subparagraph (A), the Secretary shall submit to the Committee on Veterans' Affairs and the Committee on Appropriations of the Senate and the Committee on Veterans' Affairs and the Committee on Appropriations of the House of Representatives notice of the following:

"(i) The major medical facility project that is the source of the bid savings.

"(ii) The other major medical facility project for which the amounts are being obligated.

"(iii) The amounts being obligated for such other major medical facility project."

TITLE X—OTHER MATTERS

SEC. 1001. TECHNICAL CORRECTIONS.

(a) CHAPTER 1.—The table of sections at the beginning of chapter 1 is amended by striking the item relating to section 118 and inserting the following new item:

"118. Submission of reports to Congress in electronic form."

(b) CHAPTER 11.—Section 1114(r)(2) is amended by striking "\$2,983" and inserting "\$2,983".

(c) CHAPTER 17.—Chapter 17 is amended as follows:

(1) In each of subparagraphs (A) and (B) of section 1717(a)(2), by striking "the date of the Caregivers and Veterans Omnibus Health Services Act of 2010" each place it appears and inserting "May 5, 2010".

(2) In section 1785—

(A) by striking "section 2811(b) of the Public Health Service Act (42 U.S.C. 300hh-11(b))" and inserting "section 2812 of the Public Health Service Act (42 U.S.C. 300hh)"; and

(B) by striking "paragraph (3)(A) of".

(d) CHAPTER 19.—Chapter 19 is amended as follows:

(1) In the third sentence of section 1967(a)(3)(B), by striking "spouse," and inserting "spouse,".

(2) In the second sentence of section 1980A(h), by inserting "section" before "1968(a)".

(e) CHAPTER 20.—Section 2044(e)(3) is amended by striking "fiscal year" and inserting "fiscal years".

(f) CHAPTER 30.—The table of sections at the beginning of chapter 30 is amended by striking the item relating to section 3020 and inserting the following new item:

"3020. Authority to transfer unused education benefits to family members for career service members."

(g) CHAPTER 33.—Chapter 33 is amended as follows:

(1) In section 3313(c)(1), by striking "higher education" each place it appears and inserting "higher learning".

(2) In section 3313(d)(3), by striking "assistance this chapter" and inserting "assistance under this chapter".

(3) In section 3313(e)(2)(B), by inserting a period at the end.

(4) In section 3316(b)(2), by striking "supplement" and inserting "supplemental".

(5) In section 3316(b)(3), by striking "educational payable" and inserting "educational assistance payable".

(6) In section 3318(b)(2)(B), by striking "higher education" and inserting "higher learning".

(7) In section 3319(b)(2), by striking "section (k)" and inserting "subsection (j)".

(8) In section 3321(b)(2), by striking "3312" and inserting "section 3312 of this title".

(h) CHAPTER 35.—Section 3512(a)(6) is amended by striking "this clause" and inserting "this paragraph".

(i) CHAPTER 36.—Section 3684(a)(1) is amended by striking "," and inserting a comma.

(j) CHAPTER 37.—Section 3733(a)(7) is amended by inserting a comma after "2003".

(k) CHAPTER 41.—Section 4102A(b)(8) is amended by striking "Employment and Training" and inserting "Employment, Training".

(l) CHAPTER 55.—Chapter 55 is amended as follows:

(1) In section 5510, in the second sentence of the matter preceding paragraph (1) by striking "following:—" and inserting "following:".

(2) In section 5510(9), by striking "government" and inserting "Government".

(m) CHAPTER 57.—Chapter 57 is amended as follows:

(1) In section 5723(g)(2), by inserting "the" before "Department".

(2) In section 5727(20), by striking "subordinate plan defines" and inserting "plan that defines".

(n) CHAPTER 73.—Chapter 73 is amended as follows:

(1) The table of sections at the beginning of such chapter is amended by striking the item relating to section 7333 and inserting the following new item:

"7333. Nondiscrimination against alcohol and drug abusers and persons infected with the human immunodeficiency virus."

(2) In section 7325(b)(2), by striking "section 2811(b) of the Public Health Service Act (42 U.S.C. 300hh-11(b))" and inserting "section 2812 of the Public Health Service Act (42 U.S.C. 300hh-11)".

(o) CHAPTER 79.—Section 7903(a) is amended by striking "paragraph (2)" and inserting "paragraph (3)".

(p) CHAPTER 81.—Chapter 81 is amended as follows:

(1) In section 811A(a)(2)(B)(ii)—
 (A) by striking “section 2811(b) of the Public Health Service Act (42 U.S.C. 300hh–11(b))” and inserting “section 2812 of the Public Health Service Act (42 U.S.C. 300hh)”;

(B) by striking “paragraph (3)(A) of”.

(2) In section 8117(e)—

(A) in paragraph (1), by striking “(42 U.S.C. 300hh–11(b))” and inserting “(42 U.S.C. 300hh–11)”;

(B) in paragraph (2), by striking “(42 U.S.C. 247d–6(a))” and inserting “(42 U.S.C. 247d–6)”.

SEC. 1002. STATUTORY PAY-AS-YOU-GO ACT COMPLIANCE.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

Amend the title so as to read: “An Act to amend title 38, United States Code, and the Servicemembers Civil Relief Act to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.”.

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. 3219.

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, as chairman of the House Committee on Veterans' Affairs, I rise in strong support of what is now entitled the Veterans' Benefits Act of 2010, H.R. 3219, the title being amended in the Senate.

This is an omnibus benefits bill jointly assembled by both the House Committee on Veterans' Affairs and the Senate Committee on Veterans' Affairs. It is comprehensive. It is bipartisan. It is bicameral. In fact, and we can rarely say this, Mr. Speaker, it has already been approved by the Senate by unanimous consent.

The critical bill would greatly enhance, expand, and modernize many of the benefits afforded to our veterans, particularly disabled veterans, their families, and survivors.

The provisions in this bill are the culminating result of numerous productive hearings and markups, meaningful oversight and bipartisan compromise, all to ensure that those who are willing to lay down their lives for our country and their families and survivors receive meaningful, world-class, 21st century benefits from their Nation.

I want to thank the chairman of the Subcommittee on Disability Assistance

and Memorial Affairs, JOHN HALL of New York; Representative STEPHANIE HERSETH SANDLIN, the chairwoman of the Subcommittee on Economic Opportunity; and their respective ranking members, Mr. LAMBORN and Mr. BOOZMAN, for shepherding many of these provisions through their committees. It will do a great deal of good for our veterans, their families, and survivors.

For example, section 101 includes language originally sponsored by Congresswoman HERSETH SANDLIN of South Dakota that would reauthorize the recently expired VA work-study program and expand the type of work available for veterans participating in the program. In the last fiscal year of 2009, a little over 17,000 veterans participated in this important program.

Section 102 incorporates legislation championed by Mrs. KIRKPATRICK of Arizona, which would reauthorize the VA Veterans' Advisory Committee on Education. The committee would provide the VA Secretary with a knowledgeable group of experts to give feedback on existing education benefits and information on ways to improve current programs.

Section 106 includes language championed by a new but very active member of our committee, Congressman HARRY TEAGUE of New Mexico. Congressman TEAGUE's bipartisan work in advancing this pilot program, which seeks to employ our Nation's veterans while addressing the growing need for an energy-related workforce, is to be strongly commended.

Mr. TEAGUE also championed section 204, which would provide injured servicemembers returning to active duty a waiver for the VA's home loan funding fees, keeping it in line with the intent of the waiver, which is to assist our injured servicemembers and veterans. I applaud Congressman TEAGUE for his leadership.

Sections 201 and 202 include provisions championed by Congressman BOOZMAN, which seek to reauthorize the Homeless Veterans Reintegration Program and create a similar program to focus on homeless women veterans and homeless veterans with children.

Sections 301 through 303 incorporate provisions that I and Congressman CONNOLLY of Virginia have worked on during this Congress. These sections seek to strengthen the Servicemembers Civil Relief Act by permitting the cancellation of motor vehicle leases, prohibiting early termination penalties, and allowing servicemembers the option to cancel certain phone and service contracts.

Sections 401, 402, 404, 405, and 407 represent the great work of Mr. DONNELLY of Indiana; Mrs. HALVORSON of Illinois; Mr. BUYER, who is retiring; Mrs. KIRKPATRICK of Arizona; and Mr. PERRIELLO. These provisions increase many of the outdated insurance policy amounts and terms for our veterans, many of whom are severely disabled or who have suffered traumatic injury.

Sections 501, 502, and 503 represent burial and cemetery matters put forth by Ms. BERKLEY of Nevada, Mr. FRANK of Massachusetts, and Mr. SALAZAR of Colorado.

Ms. BERKLEY and Mr. SALAZAR are both former members of our Committee on Veterans' Affairs. Ms. BERKLEY has been a longtime champion of increasing funeral benefits and plot allowances to reflect modern costs. Mr. SALAZAR has worked tirelessly to ensure that the veterans in the southern Colorado region would be served by a national cemetery. Now, both of these goals are set for enactment.

Mr. FRANK's provision is known as the Corey Shea Act and would allow parents of our fallen servicemembers to be laid to rest with their son or daughter if there are no other eligible survivors.

The bill contains a host of upgraded benefits, including:

Section 604, championed by Mr. HIGGINS of New York, which would allow our low-income pensioners to receive payments of up to \$5,000 from States or municipalities without offset;

Section 803 would provide greater automobile and adaptive equipment to veterans with severe burn injuries;

Section 804 would increase the automobile allowance for disabled veterans from \$11,000 to almost \$19,000; and

Sections 805 and 806 would allow the Institute of Medicine to take a closer look at those veterans who suffer from illnesses associated with service in the Persian Gulf wars.

This bill enjoys resounding support from the veterans service organizations, including Gold Star Wives, Disabled American Veterans, Paralyzed Veterans of America, Veterans of Foreign Wars, AMVETS, Blinded Veterans Association, the American Legion, and the Military Order of the Purple Heart.

I thank all the Members of the House who have contributed to and worked on this comprehensive bill. On behalf of our 24 million veterans and their families and survivors and as chairman of the Committee on Veterans' Affairs, I thank all of you for your input.

Of course, none of this would have come to fruition without the hard work of our committee staff. I thank those on both sides of the aisle and their counterparts in the Senate. I want to especially thank the staff from the House Legislative Counsel and the Congressional Budget Office.

Finally, I want to thank our staff director, Malcom Shorter; our staff director for disability, Kimberly Ross; and her colleague, Juan Lara, for their tireless work to see this great effort through to finality.

AMVETS,
 NATIONAL HEADQUARTERS,
 Lanham, MD, September 24, 2010.

Hon. BOB FILNER,
 Chairman, House Committee on Veterans Affairs,
 Washington, DC.

DEAR CHAIRMAN FILNER: On behalf of AMVETS (American Veterans) I would like to provide our organizational support for the Veterans' Benefits Act of 2010. There are

countless provisions that will improve employment and education opportunities, increase insurance benefits, enhance compensation and pension, and the list goes on.

Many of the sections of this bill are issue AMVETS has been advocating for years, and AMVETS is pleased to see this bill is compliant with PAYGO rules.

AMVETS looks forward to the introduction and timely passage of this comprehensive piece of legislation. We look forward to our continued work together to advance veterans issues

Respectfully,

RAYMOND C. KELLEY,
National Legislative Director, AMVETS.

PVA,
PARALYZED VETERANS OF AMERICA,
Washington, DC, September 27, 2010.
Hon. BOB FILNER,
Chairman, House Committee on Veterans' Affairs, Washington, DC.

DEAR CHAIRMAN FILNER: On behalf of Paralyzed Veterans of America (PVA), I offer our support for the "Veterans Benefits Act of 2010." This critically important legislation addresses a wide range of needed improvements in benefits available to veterans and their families.

This legislation contains a number of provisions that are particularly important to PVA and its members. Specifically, we appreciate the significant increase in the adaptive automobile grant from \$11,000 to \$18,500 and the annual index that will now apply to this benefit to ensure that its purchasing power is not eroded over time. Likewise, we recognize the importance of expanding access to adaptive automobile assistance to disabled veterans who have incurred severe burns.

We are also pleased to see that the Committee has provided additional protections to veterans and their families by increasing the Veterans' Mortgage Life Insurance benefit from \$90,000 to \$150,000 and eventually to \$200,000. Moreover, the increase in the cap for Independent Living services administered by the Department of Veterans Affairs (VA) Vocational Rehabilitation program will prove beneficial to the most severely disabled veterans who simply want to become productive members of society.

Once again, we thank the Committee for its continued emphasis on improving benefits for severely disabled veterans and their families.

Sincerely,

CARL BLAKE,
*National Legislative Director,
Paralyzed Veterans of America.*

VETERANS OF FOREIGN WARS OF THE
UNITED STATES,
Washington, DC, September 27, 2010.
Hon. BOB FILNER,
*Chairman, House Veterans' Affairs Committee,
Washington, DC.*

DEAR CHAIRMAN FILNER: On behalf of the 2.1 million members of the Veterans of Foreign Wars and our Auxiliaries, I would like to offer our strong support for The Veterans' Benefit Act of 2010. We believe this important benefits bill would make a big difference in the lives of many veterans.

The legislation, which includes many issues that have broad support in the House and Senate should be moved forward favorably so veterans can benefit from the good policies contained in the bill. Some of the provisions included in the bill would improve life insurance benefits for those suffering from TBI, increase burial benefits, provide a cost-of-living increase for survivors with children under the age of 18, and make changes to USERRA as well as updating readjustment benefits for many disabled veterans.

We believe the provisions contained in the bill are far too important to be delayed until next year.

We look forward to the passage of this most critical legislation as it will truly make a significant impact in the lives of veterans. We appreciate your commitment to America's veterans and look forward to working with you and your staff

Sincerely,

GERALD T. MANAR,
Deputy Director.

DISABLED AMERICAN VETERANS,
Washington, DC, September 28, 2010.

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

DEAR CHAIRMAN FILNER: On behalf of the 1.2 million members of the Disabled American Veterans (DAV), I am writing to support compromise legislation entitled the "Veterans Benefits Act of 2010," which is expected to be considered in the House this week. This omnibus bill contains a number of provisions that are of great importance to America's veterans, including several that are priorities for DAV and the disabled veterans we represent.

Approval of this legislation would increase the automobile assistance allowance from \$11,000 to \$18,900, index it to the Consumer Price Index, and expand eligibility for the benefit to veterans and service members with severe burn injuries. The bill would increase disability compensation provided to severely disabled veterans who have difficulty using prostheses as well as provide aid and attendance benefits to veterans suffering from traumatic brain injury. Enactment of the legislation would increase the amount of supplemental insurance for totally disabled veterans from \$20,000 to \$30,000 and immediately increase the limit of Veterans Mortgage Life Insurance (VMLI) for disabled veterans from \$90,000 to \$150,000, and then to \$200,000 beginning in 2012. The bill would also increase the number of veterans who could participate in VA's independent living services and assistance program from 2,600 to 2,700.

Overall, the "Veterans Benefits Act of 2010" makes important improvements to an array of federal benefits that help to compensate and support veterans transitioning back into civilian life, especially those who return with disabilities from their service. DAV supports approval of this legislation and thanks you for your support of disabled veterans.

Sincerely,

JOSEPH A. VIOLANTE,
National Legislative Director.

BLINDED VETERANS ASSOCIATION,
Washington, DC, September 27, 2010.

Hon. BOB FILNER,
*Chairman, House Veterans' Affairs Committee,
U.S. Congress, Washington, DC.*

DEAR CHAIRMAN FILNER: The Blinded Veterans Association (BVA), is the only congressionally chartered veterans service organization exclusively dedicated to serving the needs of our nation's blinded veterans and their families for 65 years, and fully supports passage of HR 3219 Veterans Benefits Act of 2010 to help veterans with a wide variety of benefits and education issues. The positive changes in this legislation will assist veterans in many employment and education initiatives and expansion of other necessary changes to improve the lives of veterans and their families.

This legislation would improve the older blinded veterans' lives that receive small state annuities but lose them when they are offset currently from their VA pensions. We appreciate the effort that Congressman Hall

and you both have made in including a fix to this long standing problem in section 604 for these disabled veterans.

Chairman Filner, BVA thanks you for your strong leadership on working to get passage of HR 3219 Veterans Benefits Act of 2010. Your dedication and solid commitment to America's current and future veterans, is very appreciated by the Blinded Veterans Association.

Sincerely,

THOMAS ZAMPIERI PH.D.,
Director, Government Relations.

GOLD STAR WIVES OF AMERICA, INC.,
Arlington, VA, September 27, 2010.
CHAIRMAN BOB FILNER,
House Committee on Veterans' Affairs, Washington, DC.

Gold Star Wives of America, Inc. is happy to support the Veterans' Benefits Act of 2010, H.R. 3219. All the provisions of this bill are beneficial, but we especially like the provisions listed below.

Section 107 requires the Department of Veterans Affairs to create a webpage to list the organizations that provide scholarship to veterans. This is much needed information and should be readily available. We hope that this webpage will include scholarships that are available to surviving families and families of disabled veterans eligible for Chapter 35 education benefits.

Section 401 increases the amount of supplemental life insurance available to totally disabled veterans to \$30,000. This is a much needed increase in this insurance benefit. We hope that some arrangement can be made so that those eligible for this insurance can be made aware that it is available.

Section 404 allows veterans to increase their Veterans Group Life Insurance to ensure the welfare of their surviving families.

Section 501 increases burial and funeral benefits and plot allowances for veterans. These benefits are greatly needed by veterans' families, and we are happy to see these increases.

Other provisions of the bill will benefit our servicemembers and veterans as well as their families, and we also fully support these provisions.

KATHRYN A. WITT,
*Co-Chair, Government
Relations Committee,
Gold Star Wives of
America, Inc.*

THE AMERICAN LEGION,
OFFICE OF THE NATIONAL COMMANDER,
Washington, DC, September 28, 2010.
Hon. BOB FILNER,
*Chairman, House Veterans' Affairs Committee,
Washington, DC.*

DEAR CHAIRMAN FILNER: On behalf of the 2.5 million members of The American Legion, I offer our support for H.R. 3219, the "Veterans Benefits Act of 2010." This wide-ranging omnibus bill contains a number of laudable provisions that would bring improvements in employment, compensation and pension, insurance and burial benefits available to veterans and their families.

Some of the noteworthy provisions included in this bill would improve employment opportunities for veterans pursuing an education; expedite the training of new disabled veterans' outreach program specialists (DVOPS) and local veterans' employment representatives (LVERS), thereby improving employment services offered to veterans seeking work. In addition, it would clarify and strengthen reemployment rights of veterans and members of reserve components. This legislation would increase disability

compensation provided to severely disabled veterans who have difficulty using prostheses. Additionally, an increase would be realized regarding adaptive automobile grants, and expanding access to adaptive automobile assistance to disabled veterans who have incurred severe burns. It would also provide aid and attendance benefits to veterans suffering from traumatic brain injury.

We are especially pleased to see that this legislation would provide additional protections to veterans and their families by increasing the amount of supplemental insurance for totally disabled veterans and raising the limit of Veterans' Mortgage Life Insurance for disabled veterans. In addition, the bill includes language to increase the number of veterans who would be allowed to participate in VA's independent living services and assistance program.

The American Legion fully supports H.R. 3219 and we urge strong bipartisan support and expeditious passage of this measure. The American Legion thanks you, Mr. Chairman, and offers our sincere appreciation for your continued leadership in addressing the issues that are important to veterans, members of the Armed Forces, and their families.

Sincerely,

JIMMIE L. FOSTER,
National Commander.

MILITARY ORDER
OF THE PURPLE HEART,

Springfield, VA, September 29, 2010.

CHAIRMAN BOB FILNER,
House Veterans Affairs Committee,
Washington, DC.

DEAR CHAIRMAN FILNER: On behalf of the Military Order of the Purple Heart (MOPH), I am writing to inform you that MOPH is in total support of legislation, H.R. 3219, that you have introduced. The "Veterans' Benefits Act of 2010" has many far reaching benefits for our membership which is comprised of combat wounded veterans as well as for all of America's veterans.

We commend you for your leadership on this worthwhile legislative effort.

Respectfully,

CLAYTON JONES,
National Commander.

EXPLANATORY STATEMENT FOR H.R. 3219, AS
AMENDED

H.R. 3219, as amended, the Veterans' Benefits Act of 2010, reflects a Compromise Agreement reached by the House and Senate Committees on Veterans' Affairs (the Committees) on the following bills reported during the 111th Congress: H.R. 174; H.R. 466, as amended; H.R. 1037, as amended; H.R. 1088; H.R. 1089, as amended; H.R. 1168, as amended; H.R. 1170, as amended; H.R. 1171, as amended; H.R. 1172, as amended; H.R. 2180; H.R. 3219, as amended; H.R. 3949, as amended; H.R. 4592, as amended (House Bills); and S. 728, as amended; S. 1237, as reported; and S. 3609 (Senate Bills).

H.R. 174 passed the House on November 2, 2009; H.R. 466, as amended, passed the House on June 8, 2009; H.R. 1037, as amended, passed the House on July 14, 2009; H.R. 1088 passed the House on May 19, 2009; H.R. 1089, as amended, passed the House on May 19, 2009; H.R. 1168, as amended, passed the House on November 2, 2009; H.R. 1170, as amended, passed the House on May 19, 2009; H.R. 1171, as amended, passed the House on March 30, 2009; H.R. 1172, as amended, passed the House on June 23, 2009; H.R. 3219, as amended, passed the House on July 27, 2009; H.R. 3949, as amended, passed the House on November 3, 2009. H.R. 4592 passed the House on March 23, 2010. H.R. 1037, as amended, passed the Senate on October 7, 2009.

The Committees have prepared the following explanation of H.R. 3219, as amended, to reflect a Compromise Agreement between the Committees. Differences between the provisions contained in the Compromise Agreement and the related provisions of the House Bills and the Senate Bills are noted in this document, except for clerical corrections, conforming changes made necessary by the Compromise Agreement, and minor drafting, technical, and clarifying changes.

TITLE I—EMPLOYMENT, SMALL
BUSINESS, AND EDUCATION MATTERS
EXTENSION AND EXPANSION OF AUTHORITY FOR
CERTAIN QUALIFYING WORK-STUDY ACTIVITIES
FOR PURPOSES OF THE EDUCATIONAL
ASSISTANCE PROGRAMS OF THE DEPARTMENT
OF VETERANS AFFAIRS

Current Law

Section 3485 of title 38, United States Code (U.S.C.), permits certain students enrolled in a program of education to participate in work-study programs. Approved work-study activities are generally activities relating to processing documents or providing services at Department of Veterans Affairs (VA) facilities. However, until June 30, 2010, approved activities also included outreach services provided by State approving agencies, care to veterans in State homes, and activities related to the administration of national or State veterans' cemeteries.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

H.R. 1037, as amended, would require VA to conduct a five-year pilot program to expand work-study opportunities by adding to the list of approved activities positions in academic departments (including positions as tutors or research, teaching, and lab assistants) and in student services (including positions in career centers and financial aid, campus orientation, cashiers, admissions, records, and registration offices).

Compromise Agreement

Section 101 of the Compromise Agreement would extend the authority from June 30, 2010, to June 30, 2013, during which qualifying work-study activities may include assisting with outreach services to servicemembers and veterans furnished by employees of State approving agencies, provision of care to veterans in State homes, and activities related to administration of a national cemetery or State veterans' cemetery. In addition, effective October 1, 2011, it would add to the list of qualifying work-study activities the following:

Activities of State veterans agencies helping veterans obtain any benefit under laws administered by VA or States;

Positions at Centers of Excellence for Veteran Student Success;

Positions working in programs run jointly by VA and an institution of higher learning; and

Any other veterans-related position in an institution of higher learning.

REAUTHORIZATION OF VETERANS' ADVISORY
COMMITTEE ON EDUCATION

Current Law

Section 3692 of title 38 provides for the formation of a Veterans' Advisory Committee on Education. The authority for this Committee expired on December 31, 2009.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

Section 102 of H.R. 3949, as amended, would reauthorize the Advisory Committee until December 31, 2015.

Compromise Agreement

Section 102 of the Compromise Agreement would extend the Veterans' Advisory Committee on Education until December 31, 2013. 18-MONTH PERIOD FOR TRAINING OF NEW DISABLED VETERANS' OUTREACH PROGRAM SPECIALISTS AND LOCAL VETERANS' EMPLOYMENT REPRESENTATIVES BY NATIONAL VETERANS' EMPLOYMENT AND TRAINING SERVICES INSTITUTE

Current Law

Section 4102A(c)(8) of title 38, U.S.C., requires that, as a condition of receiving grants under the Disabled Veterans' Outreach Program (DVOP) and the Local Veterans' Employment Representatives (LVER) program authorities, States are generally required to have each DVOP and LVER complete a program of training through the National Veterans' Employment and Training Services Institute within three years of beginning employment.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

H.R. 1088 would require that DVOPs and LVERs assigned to perform those duties on or after the date of enactment complete training within one year of being so assigned and that DVOPs and LVERs hired on or after January 1, 2006, also complete training within one year of the date of enactment.

Compromise Agreement

Section 103 of the Compromise Agreement would require that DVOPs and LVERs hired on or after the date of enactment complete training within 18 months of employment and that any previously-hired DVOPs and LVERs who were hired on or after January 1, 2006, also complete training within 18 months of the date of enactment.

CLARIFICATION OF RESPONSIBILITY OF SECRETARY OF VETERANS AFFAIRS TO VERIFY
SMALL BUSINESS OWNERSHIP

Current Law

Public Law 109-461 (120 Stat. 3403), the Veterans Benefits, Health Care, and Information Technology Act of 2006, requires VA to maintain the VetBiz Vendor Information Page (VIP) database containing Veteran Owned Small Businesses (VOSB) and Service-Disabled Veteran Owned Small Businesses (SDVOSB). This law also requires VA to verify that registered firms meet the eligibility requirements to be classified as VOSBs or SDVOSBs to be included in the database.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

Section 101 of H.R. 3949, as amended, would require VA to verify small business concerns prior to being listed in the VIP database.

Compromise Agreement

Section 104 of the Compromise Agreement follows the House Bill.

DEMONSTRATION PROJECT FOR REFERRAL OF
USERRA CLAIMS AGAINST FEDERAL AGENCIES
TO THE OFFICE OF SPECIAL COUNSEL

Current Law

Under chapter 43 of title 38, U.S.C., the Department of Labor has responsibility for receiving, investigating, and attempting to resolve all claims filed under the Uniformed Services Employment and Reemployment Rights Act (USERRA).

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

H.R. 1089, as amended, would provide the U.S. Office of Special Counsel with initial jurisdiction to investigate and prosecute all

USERRA complaints involving Federal executive agencies and provide authority for individuals to file complaints with the U.S. Office of Special Counsel. It would clarify that the U.S. Office of Special Counsel has the same authority as the U.S. Department of Labor to conduct investigations and issue subpoenas when investigating USERRA complaints.

Compromise Agreement

Section 105 of the Compromise Agreement would require the Secretary of Labor and the Office of Special Counsel to carry out a 36-month demonstration project to start no later than 60 days after the Comptroller General submits a report assessing the proposed methods and procedures for the demonstration project; under the demonstration project, certain USERRA claims against Federal executive agencies would be received by or referred to the Office of Special Counsel. It would also allow the Office of Special Counsel to receive and investigate certain claims under USERRA and related prohibited personnel practice claims. Finally, the Compromise Agreement would establish general guidelines for administration of the demonstration project; would require the Department of Labor and the Office of Special Counsel to jointly establish methods and procedures to be used during the demonstration project and submit to Congress a report describing those methods and procedures; would require the Comptroller General to submit to Congress a report assessing those methods and procedures; and would require the Comptroller General to submit to Congress reports on the demonstration project.

VETERANS ENERGY-RELATED EMPLOYMENT PROGRAM

Current Law

Current law contains no relevant provision.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

H.R. 4592, as amended, would create a Veterans Energy-Related Employment Program pilot program, which would award competitive grants to three States for the establishment of a program that would reimburse energy employers for the cost of providing on-the-job training for veterans in the energy sector. The reimbursements would go to employers or labor-management organizations. Each participating State would be required to provide evidence that it can produce such training to serve a population of eligible veterans, has a diverse energy industry, and the ability to carry out such a program, as well as certify that participating veterans would be hired at a wage rate consistent with the standard industry average for jobs that are technically involved and have a skill-set that is not transferable to other non-energy industries. It would authorize appropriations of \$10 million a year for five years, beginning in 2011 through 2015.

Compromise Agreement

Section 106 of the Compromise Agreement would establish a pilot competitive grant program (Veterans Energy-Related Employment Program) as part of the Veterans Workforce Investment Program for up to three States to provide grants to energy employers that train veterans in skills particular to the energy industry. States would need to repay funds not used for the purposes outlined for this pilot program and submit reports on the use of the grant funds to the Secretary of Labor. This section would outline requirements employers must meet to receive funds from a State and would prohibit the use of funds for non-eligible vet-

erans or eligible veterans whose employment is funded through any other governmental program. A report to Congress would be required to be submitted by the Secretary. The administrative costs of the Secretary would be limited to 2 percent of the appropriations for this program and the Secretary of Labor would be permitted to determine the maximum amounts of each grant that may be used for administration and reporting costs. Section 106 of the Compromise Agreement would authorize \$1.5 million for the grant program for each of fiscal years 2012 through 2014.

PAT TILLMAN VETERANS' SCHOLARSHIP INITIATIVE

Current Law

There is no relevant provision in current law.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

H.R. 1172, as amended, would require VA to provide and maintain on its website by June 1, 2010, information regarding scholarships that are available to veterans and family members of deceased veterans. Information to be provided on the website would include a list of organizations offering scholarships and a link to their websites. VA would also be required to notify schools and other organizations of the opportunity to be listed on the website.

Compromise Agreement

Section 107 of the Compromise Agreement follows the House Bill but requires the VA, by June 1, 2011, to make available on its website a list of organizations that provide scholarships to veterans and their survivors. VA would be required to make reasonable efforts to notify schools and other organizations of the opportunity to be listed on the website.

TITLE II—HOUSING AND HOMELESSNESS MATTERS

REAUTHORIZATION OF APPROPRIATIONS FOR HOMELESS VETERANS REINTEGRATION PROGRAM

Current Law

The Homeless Veterans Reintegration Program (HVRP) was initially enacted in 1987 as part of Public Law 100-77, the Stewart B. McKinney Homeless Assistance Act, to expand services beyond food and shelter to homeless veterans. Public Law 107-95, the Homeless Veterans Comprehensive Assistance Act of 2001, directed the Secretary of Labor to provide homeless veterans with job training, counseling, and placement services as part of a holistic approach to reintegrating homeless veterans back into society. The authorization of appropriations to carry out this program expired at the end of fiscal year 2009.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

Section 2 of H.R. 1171, as amended, would reauthorize, through fiscal year 2014, the Department of Labor's HVRP.

Compromise Agreement

Section 201 of the Compromise Agreement follows the House Bill, except that it would reauthorize the HVRP through fiscal year 2011.

HOMELESS WOMEN VETERANS AND HOMELESS VETERANS WITH CHILDREN REINTEGRATION GRANT PROGRAM

Current Law

Currently, under section 2021 of title 38, U.S.C., the Secretary of Labor is required to

conduct, directly or through grant or contract, the HVRP. Through HVRP, the Secretary selects programs that are appropriate to provide job training, counseling, and placement services (including job readiness, literacy and skills training) to expedite the reintegration of homeless veterans into the labor force. HVRP is administered through the Assistant Secretary of Labor for Veterans' Employment and Training (VETS).

Senate Bill

Section 102 of S. 1237, as reported, would amend Subchapter III of chapter 20 of title 38, U.S.C., by adding a new section 2021A, entitled "Grant program for reintegration of homeless women veterans and homeless veterans with children." This grant program would differ from the current HVRP grants in that it would be strictly a grant program and would focus specifically on providing services that will assist in the reintegration into the labor force of homeless women veterans and homeless veterans with children. Like the current HVRP grants, services under this new grant program would include job training, counseling, and job placement services, including job readiness, literacy, and skills training. Importantly, it would also include child care services to serve more effectively the target population.

House Bill

Section 3 of H.R. 1171, as amended, would amend title 38, U.S.C., adding a new section 2021A, entitled "Homeless women veterans and homeless veterans with children reintegration grant program." That bill would direct the Secretary of Labor to carry out a grant program to provide reintegration services through programs and facilities that emphasize services for homeless women veterans and homeless veterans with children.

Compromise Agreement

Section 202 of the Compromise Agreement generally follows the House Bill. However, the authorization of appropriations to carry out this program is \$1 million for fiscal years 2011 to 2015.

SPECIALLY ADAPTED HOUSING ASSISTIVE TECHNOLOGY GRANT PROGRAM

Current Law

There is no current provision in title 38, U.S.C., authorizing grants to develop assistive technology for specially adapted housing. The Specially Adapted Housing (SAH) program was established in 1948 by Public Law 80-702, an act to authorize assistance to certain veterans in acquiring specially adapted housing which they require by reason of their service-connected disabilities. The SAH program provides grants to certain qualifying service-connected disabled veterans to assist them in acquiring suitable housing.

Senate Bill

The Senate Bills contain no comparable provisions.

House Bill

H.R. 1170, as amended, would authorize a five-year pilot program to promote research and development of adaptive technologies that would be applicable to the SAH program. It would also provide that VA retain a 30 percent interest in any patent approved as a result of funding through this grant program. The bill would further require that VA retain any investment returns from these patents to assist in funding grants, during the duration of this program. It would authorize \$2 million per year for purposes of this grant program; those amounts would be derived from amounts appropriated for VA Medical Services.

Compromise Agreement

Section 203 of the Compromise Agreement generally follows the House Bill. However,

under the Compromise Agreement, the Secretary would not retain any patent rights to the technology developed by any grant recipient, the funding amount would be reduced from \$2 million to \$1 million per fiscal year to carry out this program, and the funding would now come from amounts appropriated to VA for readjustment benefits, not Medical Services. The effective date of the five-year pilot program would be October 1, 2011.

WAIVER OF HOUSING LOAN FEE FOR CERTAIN VETERANS WITH SERVICE-CONNECTED DISABILITIES CALLED TO ACTIVE SERVICE

Current Law

Current law, section 3729(c)(1) of title 38, U.S.C., states that a loan fee, normally collected from each person obtaining a housing loan guaranteed, insured or made under chapter 37, will be waived for a veteran who is receiving compensation, or who, but for the receipt of retirement pay, would be entitled to receive compensation.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

H.R. 2180 would waive housing loan fees for certain veterans with service-connected disabilities called back to active service.

Compromise Agreement

Section 204 of the Compromise Agreement follows the House Bill.

TITLE III—SERVICEMEMBERS CIVIL RELIEF ACT MATTERS

RESIDENTIAL AND MOTOR VEHICLE LEASES

Current Law

Section 305 of the Servicemembers Civil Relief Act (SCRA) permits the cancellation of motor vehicle leases and prohibits early termination penalties. It also permits cancellation of residential leases, but it does not provide protection from early termination fees.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

Section 202 of H.R. 3949 would amend subsection (e) of section 305 of SCRA to revise provisions concerning arrearages and other obligations to prohibit a lessor from charging an early termination charge with respect to a residential, professional, business, or agricultural rental lease entered into by a person who subsequently enters military service, or for a servicemember who has received orders for permanent change of station or for deployment in support of a military operation. It would provide that unpaid lease charges shall be paid by the lessee.

Compromise Agreement

Section 301 of the Compromise Agreement follows the House bill.

TERMINATION OF TELEPHONE SERVICE CONTRACTS

Current Law

Section 305A of SCRA permits certain servicemembers the option to request a termination or suspension of their cellular phone contracts if they are deployed outside of the continental United States for a period of not less than 90 days or have a permanent change of duty station within the United States.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

Section 201 of H.R. 3949 would amend section 305A of the SCRA to allow a service-

member to terminate certain service contracts if the servicemember has received military orders to deploy for a period of not less than 90 days or for a change of duty station to a location that does not support such service. Furthermore, if the terminated contract was for cellular or telephone exchange services, it would allow a servicemember to keep the phone number to the extent practicable and in accordance with applicable law. Covered contracts would include cellular telephone service (including family plans with the servicemember), telephone exchange service, multi-channel video programming service and internet service, as well as home water, electricity, home heating oil and natural gas services. Servicemembers would be required to deliver a written notice of termination of the service contract and the military orders to the service provider by hand delivery, private carrier, fax, or U.S. Postal Service with return receipt requested and sufficient postage. A service provider would be prohibited from imposing an early termination charge, but could collect appropriate tax, obligation or liability under the contract.

Compromise Agreement

Section 302 of the Compromise Agreement would allow a servicemember to terminate a contract for cellular telephone or telephone exchange service at any time after receiving notice of military orders to relocate for a period of 90 days or more to a location that does not support the contract. It would further require the telephone number of an individual who terminated a contract to be kept available for a period of not to exceed three years if the servicemember resubscribes to the service within 90 days of the last day of relocation. Finally, section 302 of the Compromise Agreement would permit certain family plan contracts for cellular telephone service entered into by a family member of a servicemember to be terminated.

ENFORCEMENT BY THE ATTORNEY GENERAL AND BY PRIVATE RIGHT OF ACTION

Current Law

Current law contains no relevant provision.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

Section 203 of H.R. 3949 would amend the SCRA to add a new title, Title VIII—Civil Liability, which would authorize the U.S. Attorney General to bring a civil action in U.S. district court to enforce provisions of the SCRA. It would also authorize the court to grant appropriate relief to include monetary damages. The court would be authorized in certain circumstances to impose a civil penalty that, for the first violation, will not exceed \$55,000 and, for any subsequent violation, will not exceed \$110,000. It would provide intervenor rights to aggrieved persons for a civil action that has already been started. In addition, it would clarify that a person has a private right of action to file a civil action for violations under the SCRA and that the court may award costs and attorney fees to a servicemember who prevails. Finally, it would provide that the rights granted under sections 801 or 802 will not limit or exclude any other rights that may also be available under Federal or state law.

Compromise Agreement

Section 303 of the Compromise Agreement generally follows the House bill with some technical changes.

TITLE IV—INSURANCE MATTERS

INCREASE IN AMOUNT OF SUPPLEMENTAL INSURANCE FOR TOTALLY DISABLED VETERANS

Current Law

Section 1922A of title allows eligible totally disabled veterans to receive a maximum of \$20,000 in Service-Disabled Veterans' Insurance (S-DVI) supplemental life insurance coverage.

Senate Bill

Section 101 of H.R. 1037, as amended, would amend section 1922A(a) of title 38, U.S.C., to increase the amount of life insurance available to totally disabled veterans by allowing them to purchase an additional \$10,000 in supplemental insurance coverage. This would raise the maximum amount of S-DVI supplemental coverage to \$30,000.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 401 of the Compromise Agreement follows the Senate Bill, except that the provision would take effect on October 1, 2011.

PERMANENT EXTENSION OF DURATION OF SERVICEMEMBERS' GROUP LIFE INSURANCE COVERAGE FOR TOTALLY DISABLED VETERANS

Current Law

VA offers a variety of life insurance options for servicemembers, veterans, and their families. Among these is the Servicemembers' Group Life Insurance (SGLI) program, which offers low-cost group life insurance for servicemembers on active duty, Ready Reservists, members of the National Guard, members of the Commissioned Corps of the National Oceanic and Atmospheric Administration and the Public Health Service, cadets and midshipmen of the four service academies, and members of the Reserve Officer Training Corps. SGLI coverage is available in \$50,000 increments up to the maximum of \$400,000.

Public Law 93-289, the Veterans' Insurance Act of 1974, established a new program of post-separation insurance known as Veterans' Group Life Insurance (VGLI). VGLI provides for the post-service conversion of SGLI to a renewable term policy of insurance. Persons eligible for full-time coverage include former servicemembers who were insured full-time under SGLI and who were released from active duty or the Reserves, Ready Reservists who have part-time SGLI coverage and who incur certain disabilities during periods of active or inactive duty training, and members of the Individual Ready Reserve and Inactive National Guard. VGLI coverage is issued in multiples of \$10,000 up to a maximum of \$400,000.

Under current law, VGLI applications for coverage must occur within one year and 120 days from discharge. However, servicemembers who are totally disabled at the time of discharge may have a longer period within which to convert their SGLI coverage to VGLI. Public Law 109-233, the Veterans' Housing Opportunity and Benefits Improvement Act of 2006, authorized VA to extend from one to two years, after separation from active duty service, the period within which totally disabled members may receive premium free SGLI coverage and convert their coverage to a policy under the VGLI program after separation from active duty service. However, Public Law 109-233 mandated that on or after October 1, 2011, this two-year time period would be shortened to 18 months.

Senate Bill

Section 101 of S. 3765 would amend section 1968(a) of title 38, U.S.C., to eliminate the expiration date for a potential two-year extension of SGLI coverage available to

servicemembers who are totally disabled when they separate from service.

House Bill

Section 101 of H.R. 3219, as amended, would amend section 1968(a) of title 38, U.S.C., to eliminate the expiration date for a potential two-year extension of SGLI coverage available to servicemembers who are totally disabled when they separate from service.

Compromise Agreement

Section 402 of the Compromise Agreement follows the language in both bills.

ADJUSTMENT OF COVERAGE OF DEPENDENTS UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE

Current Law

Under current law, insurable dependents of servicemembers on active duty, or Ready Reservists who are totally disabled on the date of separation or release from service or assignment, are authorized to continue receiving insurance coverage long after the servicemembers' separation or release from service. Servicemembers on active duty are potentially eligible for continued coverage for up to 2 years after the date of separation or release from service; Ready Reservists are potentially eligible for an additional 1 year of coverage after separation or release from an assignment. Thereafter, the insurable dependents of covered servicemembers on active duty are also potentially eligible for continued coverage for up to 2 years after the date of separation or release from service or, in the case of an insurable dependent of a Ready Reservist, up to 1 year after the date of separation or release from an assignment.

Senate Bill

Section 102 of H.R. 1037, as amended, would amend section 1968(a)(5)(B)(ii) of title 38, U.S.C., so that no insurable dependent, not even those of servicemembers who remain covered for up to 1 or 2 years after service or assignment, could remain covered under SGLI for more than 120 days after the servicemembers' separation or release from service or assignment.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 403 of the Compromise Agreement follows the Senate Bill.

OPPORTUNITY TO INCREASE AMOUNT OF VETERANS' GROUP LIFE INSURANCE

Current Law

Section 1977(a)(1) of title 38, U.S.C., limits the amount of VGLI coverage a veteran may carry to the amount of SGLI coverage that continued in force after that veteran was separated from service.

Senate Bill

Section 102 of S. 3765 would amend section 1977(a) of title 38, U.S.C., to allow VGLI participants who are under the age of 60 and insured for less than the current maximum authorized for SGLI the opportunity to obtain, without a health care examination, an additional \$25,000 in coverage once every 5 years at the time of renewal.

House Bill

Section 102 of H.R. 3219, as amended, would amend section 1977(a) of title 38, U.S.C., to allow VGLI participants who are under the age of 60 and insured for less than the current maximum authorized for SGLI the opportunity to obtain, without a health care examination, an additional \$25,000 in coverage once every 5 years at the time of renewal.

Compromise Agreement

Section 404 of the Compromise Agreement follows the language in both bills.

ELIMINATION OF REDUCTION IN AMOUNT OF ACCELERATED DEATH BENEFIT FOR TERMINALLY-ILL PERSONS INSURED UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE AND VETERANS' GROUP LIFE INSURANCE

Current Law

The current SGLI/VGLI Accelerated Benefits Option (ABO) requires VA to discount or reduce the payout available under both the SGLI and VGLI programs for terminally-ill servicemembers and veterans who exercise the option to use up to half of their policy. Currently, VA discounts this payment by an amount commensurate to the interest rate earned by the program on its investment in effect at the time that a servicemember or veteran applies for the benefits, thereby often significantly reducing the amount of the ABO payment.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

Section 103 of H.R. 3219, as amended, would amend section 1980(b)(1) of title 38, U.S.C., by eliminating the requirement that the lump sum accelerated payment be "reduced by an amount necessary to assure that there is no increase in the actuarial value of the benefit paid, as determined by the Secretary."

Compromise Agreement

Section 405 of the Compromise Agreement follows the House Bill.

CONSIDERATION OF LOSS OF DOMINANT HAND IN PRESCRIPTION OF SCHEDULE OF SEVERITY OF TRAUMATIC INJURY UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE

Current Law

Under current law, traumatic injury protection under Servicemembers' Group Life Insurance (TSGLI) provides for payment to servicemembers who suffer a qualifying loss as a result of a traumatic injury event. In the event of a qualifying loss, VA will pay between \$25,000 and \$100,000, depending on the severity of the qualifying loss. In prescribing payments, VA does not account for the effect, if any, that the loss of a dominant hand has on lengthening hospitalization or rehabilitation periods.

Senate Bill

Section 104 of H.R. 1037, as amended, would amend section 1980A(d) of title 38, U.S.C., to authorize VA to distinguish in specifying payments for qualifying losses of a dominant hand and a non-dominant hand.

House Bill

The House Bills contains no comparable provision.

Compromise Agreement

Section 406 of the Compromise Agreement follows the Senate Bill except that the provision would take effect on October 30, 2011.

ENHANCEMENT OF VETERANS' MORTGAGE LIFE INSURANCE

Current Law

Under current law, service-connected disabled veterans who have received specially adapted housing grants from VA may purchase up to \$90,000 in Veterans' Mortgage Life Insurance (VMLI). In the event of the veteran's death, the veteran's family is protected because VA will pay the balance of the mortgage owed up to the maximum amount of insurance purchased.

Senate Bill

Section 105 of H.R. 1037, as amended, would amend section 2106(b) of title 38, U.S.C., to increase the maximum amount of insurance that may be purchased under the VMLI program from the current maximum of \$90,000 to \$150,000 effective on October 1, 2012. The

maximum amount would then increase from \$150,000 to \$200,000 on January 1, 2012.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 407 of the Compromise Agreement follows the Senate Bill, except that the provision would take effect on October 1, 2011.

EXPANSION OF INDIVIDUALS QUALIFYING FOR RETROACTIVE BENEFITS FROM TRAUMATIC INJURY PROTECTION COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE

Current Law

Under current law, TSGLI provides coverage against qualifying losses incurred as a result of a traumatic injury. In the event of a loss, VA will pay between \$25,000 and \$100,000 depending on the severity of the qualifying loss. TSGLI went into effect on December 1, 2005. In order to provide assistance to those servicemembers suffering traumatic injuries on or before October 7, 2001, and November 30, 2005, retroactive TSGLI payments were authorized under section 1032(c) of Public Law 109-13, the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005, to individuals whose qualifying losses were sustained as "a direct result of injuries incurred in Operation Enduring Freedom or Operation Iraqi Freedom." Under section 501(b) of Public Law 109-233, the Veterans' Housing Opportunity Benefits Improvement Act of 2006, this definition was amended to allow retroactive payments to individuals whose qualifying losses were sustained as a "direct result of a traumatic injury incurred in the theater of operations for Operation Enduring Freedom and Operation Iraqi Freedom." Men and women who were traumatically injured on or between October 7, 2001, and November 30, 2005, but were not in the Operation Iraqi Freedom or Operation Enduring Freedom theaters of operation are not eligible for retroactive payments.

Senate Bill

Section 103 of H.R. 1037, as amended, would amend section 501(b) of Public Law 109-233 so as to remove the requirement that limits retroactive TSGLI payments to those who served in the Operation Iraqi Freedom (OIF) or Operation Enduring Freedom (OEF) theaters of operation. Thus, this section of the Compromise Agreement would authorize retroactive TSGLI payments for qualifying traumatic injuries incurred on or after October 7, 2001, but before December 1, 2005, irrespective of where the injuries occurred.

House Bill

The House Bills contains no comparable provision.

Compromise Agreement

Section 408 of the Compromise Agreement follows the Senate Bill, except that the provision would take effect on October 1, 2011.

TITLE V—BURIAL AND CEMETERY MATTERS

INCREASE IN CERTAIN BURIAL AND FUNERAL BENEFITS AND PLOT ALLOWANCES FOR VETERANS

Current Law

Under current law, VA will pay up to \$300 toward the funeral and burial costs of veterans who die while receiving care at certain VA facilities. In addition, VA will pay a \$300 plot allowance when a veteran is buried in a cemetery not under U.S. government jurisdiction if: the veteran was discharged from active duty because of a disability incurred or aggravated in the line of duty; the veteran was receiving compensation or pension, or would have been if he/she was not receiving

military retired pay; or the veteran died in a VA facility. The plot allowance may be paid to the State for the cost of a plot or interment in a State-owned cemetery reserved solely for veteran burials if the veteran was buried without charge.

Senate Bill

Section 501 of H.R. 1037, as amended, would increase payments for funeral and burial expenses in the case of individuals who die in VA facilities and for plot allowances up to \$745 and would increase this amount annually by a cost-of-living adjustment. These increases would be effective for deaths occurring on or after October 1, 2010, but no cost-of-living adjustment would be paid in fiscal year 2011.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 501 of the Compromise Agreement would increase the amount paid for the burial and funeral of a veteran who dies in a VA facility or the plot allowance for a deceased veteran who is eligible for burial at a national cemetery from \$300 to \$700, effective October 1, 2011. It would further direct the Secretary of Veterans Affairs to provide an annual percentage increase in relation to the Consumer Price Index. Finally, the Compromise Agreement would provide that no cost-of-living increases are to be made to these benefits in fiscal year 2012.

INTERMENT IN NATIONAL CEMETERIES OF PARENTS OF CERTAIN DECEASED VETERANS

Current Law

Under section 2402(5) of title 38, U.S.C., certain spouses, surviving spouses, and minor children of servicemembers and veterans who are eligible for burial in national cemeteries are eligible to be interred in national cemeteries.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

Section 303 of H.R. 3949, the Corey Shea Act, would give VA the discretion to provide space-available burial to qualifying parents in the gravesite of their deceased son or daughter who, on or after October 7, 2001, died in combat or died of a combat-related training injury and who has no other eligible survivors as identified under section 2402(5) of title 38, U.S.C. The term parent would mean the biological mother or father or, in the case of adoption, the adoptive mother or father.

Compromise Agreement

Section 502 of the Compromise Agreement follows the House Bill.

REPORTS ON SELECTION OF NEW NATIONAL CEMETERIES

Current Law

Current law contains no relevant provision.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

H.R. 174 would direct VA to establish a national cemetery for veterans in the Southern Colorado area.

Compromise Agreement

Section 503 of the Compromise Agreement would require VA, not later than one year following the date of enactment, to report to Congress on the selection and construction of five new national cemeteries in areas in Southern Colorado; Melbourne and Daytona, Florida; Rochester and Buffalo, New York;

Tallahassee, Florida; and Omaha, Nebraska. The Secretary would be required to solicit the advice and views of State and local veterans organizations. The report would be required to include a schedule for the establishment of and the funds available for each such cemetery. The Compromise Agreement would further require annual reports to be submitted to Congress until the completion of the cemeteries.

TITLE VI—COMPENSATION AND PENSION ENHANCEMENT OF DISABILITY COMPENSATION FOR CERTAIN DISABLED VETERANS WITH DIFFICULTIES USING PROSTHESES AND DISABLED VETERANS IN NEED OF REGULAR AID AND ATTENDANCE FOR RESIDUALS OF TRAUMATIC BRAIN INJURY

Current Law

Currently, under subsections (a) through (j) of section 1114 of title 38, U.S.C., VA pays disability compensation to a veteran based on the rating assigned to the veteran's service-connected disabilities. Under subsections (m), (n), and (o) of section 1114, higher levels of monthly compensation are paid to veterans with severe disabilities if certain criteria are satisfied. The criteria for compensation under section 1114(m) include "the anatomical loss . . . of both legs at a level, or with complications, preventing natural knee action with prostheses in place" or "the anatomical loss . . . of one arm and one leg at levels, or with complications, preventing natural elbow and knee action with prostheses in place." The criteria for compensation under section 1114(n) include "the anatomical loss . . . of both arms at levels, or with complications, preventing natural elbow action with prostheses in place"; "the anatomical loss of both legs so near the hip as to prevent the use of prosthetic appliances"; or "the anatomical loss of one arm and one leg so near the shoulder and hip as to prevent the use of prosthetic appliances." The criteria for compensation under section 1114(o) include "the anatomical loss of both arms so near the shoulder as to prevent the use of prosthetic appliances."

Currently, the monthly compensation under subsections (a) through (j) of section 1114 ranges from \$123 per month for a single veteran with no dependents rated 10 percent to \$2,673 per month for the same single veteran rated 100 percent. Under section 1114(1) of title 38, U.S.C., VA provides a higher amount of compensation, currently \$3,327 per month for a single veteran, if the veteran is "in need of regular aid and attendance." A veteran who requires regular aid and attendance may be entitled to an additional \$2,002 per month, under section 1114(r)(1) of title 38, U.S.C., if the veteran suffers from severe service-connected physical disabilities. Also, under section 1114(r)(2), a higher level of aid and attendance compensation, currently an additional \$2,983 per month, is provided to certain veterans with severe service-connected disabilities who need "a higher level of care" in addition to regular aid and attendance. Under section 1114(r)(2), this higher level of compensation generally is provided only to a veteran who has suffered a severe anatomical loss, who needs "health-care services provided on a daily basis in the veteran's home," and who would require institutionalization in the absence of that care.

Senate Bill

Section 205(a) of H.R. 1037, as amended, would amend subsections (m), (n), and (o) of section 1114 to remove the provisions conditioning higher monthly compensation on the site of, or complications from, an anatomical loss. Instead, if the other requirements are satisfied, it would allow the higher rates to be paid if any factors prevent natural elbow

or knee action with prostheses in place or prevent the use of prosthetic appliances.

Section 205(b) of H.R. 1037, as amended, would add a new subsection (t) to section 1114, which would provide that, if a veteran is in need of regular aid and attendance due to the residuals of traumatic brain injury, is not eligible for compensation under section 1114(r)(2), and, in the absence of regular aid and attendance, would require institutional care, the veteran will be entitled to a monthly aid and attendance allowance equivalent to the allowance provided under section 1114(r)(2).

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 601 of the Compromise Agreement follows the Senate Bill.

COST-OF-LIVING INCREASE FOR TEMPORARY DEPENDENCY AND INDEMNITY COMPENSATION PAYABLE FOR SURVIVING SPOUSES WITH DEPENDENT CHILDREN UNDER THE AGE OF 18

Current Law

Under section 1310 of title 38, U.S.C., VA provides dependency and indemnity compensation (DIC) to a surviving spouse if a veteran's death resulted from: (1) a disease or injury incurred or aggravated in the line of duty while on active duty or active duty for training; (2) an injury incurred or aggravated in the line of duty while on inactive duty for training; or (3) a service-connected disability or a condition directly related to a service-connected disability.

Section 301 of Public Law 108-454, the Veterans Benefits Improvement Act of 2004, amended section 1311 of title 38, U.S.C., to authorize VA to pay a \$250 per month temporary benefit to a surviving spouse with one or more children below the age of 18, during the 2 years following the date on which entitlement to DIC began. This provision was enacted in response to a May 2001 program evaluation report recommendation on the need for transitional DIC.

Senate Bill

Section 201 of H.R. 1037, as amended, would amend section 1311(f) of title 38, U.S.C., by authorizing a permanent, automatic, cost-of-living adjustment for this temporary DIC payment so that the value of the benefit does not erode over time.

This cost-of-living increase would occur whenever there is an increase in benefit amounts payable under title II of the Social Security Act, section 401 et seq., title 42, U.S.C.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 602 of the Compromise Agreement follows the Senate bill.

PAYMENT OF DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVORS OF FORMER PRISONERS OF WAR WHO DIED ON OR BEFORE SEPTEMBER 30, 1999

Current Law

Under chapter 13 of title 38, U.S.C., DIC is paid to the surviving spouse or children of a veteran when the veteran's death is a result of a service-connected disability. In addition, VA provides DIC to the surviving spouses and children of veterans who have died after service from a non-service-connected disability if the veteran had been totally disabled due to a service-connected disability for a continuous period of 10 or more years immediately preceding death or for a continuous period of at least 5 years after the veteran's release from service.

Prior to Public Law 106-117, the Veterans Millennium Health Care and Benefits Act,

the survivors of former Prisoners of War (POWs) were eligible for DIC under the same rules as all other survivors. Section 501 of Public Law 106-117 extended eligibility for DIC to the survivors of former POWs who died after September 30, 1999, from non-service-connected causes if the former POWs were totally disabled due to a service-connected cause for a period of 1 or more years, rather than 10 or more years, immediately prior to death.

Senate Bill

Section 208 of H.R. 1037, as amended, would amend section 1318(b)(3) of title 38, U.S.C., to make all survivors of former POWs eligible for DIC if the veteran died from non-service-connected causes and was totally disabled due to a service-connected condition for a period of 1 or more years immediately prior to death, without regard to date of death.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 603 of the Compromise Agreement follows the Senate bill.

EXCLUSION OF CERTAIN AMOUNTS FROM CONSIDERATION AS INCOME FOR PURPOSES OF VETERANS PENSION BENEFITS

Current Law

Under chapter 15 of title 38, U.S.C., VA is authorized to pay pension benefits to wartime veterans who have limited or no income, and who are ages 65 or older, or, if under 65, who are permanently and totally disabled.

When calculating annual income for purposes of these pension benefits, section 1503 of title 38, U.S.C., authorizes VA to include income received by the veteran and from most sources. However, certain sources of income, such as donations from public or private relief or welfare organizations, are not taken into account.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 604 of the Compromise Agreement would exclude, for purposes of determining income for pension eligibility, up to \$5,000, paid to a veteran from a State or municipality, if the benefit was paid due to the veteran's injury or disease.

COMMENCEMENT OF PERIOD OF PAYMENT OF ORIGINAL AWARDS OF COMPENSATION FOR VETERANS RETIRED OR SEPARATED FROM THE UNIFORMED SERVICES FOR CATASTROPHIC DISABILITY

Current Law

Under section 5110(b)(1) of title 38, U.S.C., if a veteran files a claim for VA disability compensation within 1 year after being discharged from military service, the effective date of an award of service connection will be the day after the date of discharge. However, under section 5111(a) of title 38, U.S.C., the effective date for payment of compensation based on that award will not be until the first day of the month following the month in which the service-connection award is effective.

Senate Bill

Section 206 of H.R. 1037, as amended, would amend section 5111 of title 38, U.S.C., to provide that, if a veteran is retired from the military for a catastrophic disability or disabilities, payment of disability compensation based on an original claim for benefits will be made as of the date on which the

award of compensation becomes effective. "Catastrophic disability" would be defined as a permanent, severely disabling injury, disorder, or disease that compromises the ability of the veteran to carry out the activities of daily living to such a degree that the veteran requires personal or mechanical assistance to leave home or bed, or requires constant supervision to avoid physical harm to self or others.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 605 of the Compromise Agreement follows the Senate Bill.

APPLICABILITY OF LIMITATION TO PENSION PAYABLE TO CERTAIN CHILDREN OF VETERANS OF A PERIOD OF WAR

Current Law

Under current law, a veteran with no dependents who is entitled to receive pension under section 1521 of title 38, U.S.C., cannot be paid more than \$90 per month if the veteran is in a nursing facility where services are covered by a Medicaid plan. In instances where a veteran's surviving spouse is entitled to receive pension under section 1541 of title 38, U.S.C., the surviving spouse also cannot be paid more than \$90 per month if the surviving spouse has no dependents and is in a nursing facility where services are covered by a Medicaid plan. The \$90 pension benefit may not be counted in determining eligibility for Medicaid or the patient's share of cost.

Under section 101(4)(A) of title 38, U.S.C., a child is defined as a person who is unmarried and under the age of 18 years; before reaching the age of 18 years, became permanently incapable of self-support; or, after attaining the age of 18 years and until completion of education or training, but not after attaining the age of 23 years, is pursuing a course of instruction at an approved educational institution. Such a child is entitled to pension under section 1542 of title 38, U.S.C., if the income of the child is less than the statutory benefit amount payable to the child. If such a child is admitted to a nursing facility where services are covered by a Medicaid plan, the pension benefits for the child are not currently reduced to \$90.

Senate Bill

Section 207 of H.R. 1037, as amended, would amend section 5503 of title 38, U.S.C., so that adult-disabled children of veterans who receive pension under section 1542 of title 38, U.S.C., and are covered by a Medicaid plan while residing in nursing homes, would have their pension benefits reduced in the same manner as veterans and surviving spouses.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 606 of the Compromise Agreement follows the Senate bill.

EXTENSION OF REDUCED PENSION FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES

Current Law

Public Law 101-508, the Omnibus Budget Reconciliation Act of 1990, reduced VA pension for certain veterans in receipt of Medicaid-covered nursing home care to no more than \$90 per month, for any period after the month of admission to the nursing care facility. This authority expired on September 30, 1992, and was extended through 1997 in Public Law 102-568, the Veterans' Benefits Act of 1992; through 1998 in Public Law 103-66, the Omnibus Budget Reconciliation Act of 1993;

through 2002 in Public Law 105-33, the Balanced Budget Act of 1997; through 2008 in Public Law 106-419, the Veterans' Benefits and Health Care Improvement Act of 2000; and through 2011 in Public Law 107-103, the Veterans' Education and Benefits Expansion Act of 2001.

Senate Bill

Section 204 of H.R. 1037, as amended, would amend section 5503(d)(7) of title 38, U.S.C., to extend, from September 30, 2011, to September 30, 2014, the authority for limitation of VA pension to \$90 per month for certain beneficiaries receiving Medicaid-covered nursing home care.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 607 of the Compromise Agreement follows the Senate bill, except that the limitation would be extended until May 31, 2015.

CODIFICATION OF 2009 COST-OF-LIVING ADJUSTMENT IN RATES OF PENSION FOR DISABLED VETERANS AND SURVIVING SPOUSES AND CHILDREN

Current Law

Under current law, section 5312 of title 38, U.S.C., whenever there is an increase in benefits payable under title II of the Social Security Act, VA automatically increases pension benefits by the same percentage increase.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 608 of the Compromise Agreement codifies current pension rates for disabled veterans and surviving spouses and children.

TITLE VII—EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES

CLARIFICATION THAT USERRA PROHIBITS WAGE DISCRIMINATION AGAINST MEMBERS OF THE ARMED FORCES

Current Law

Under current law, section 4311(a) of title 38, U.S.C., employers may not deny any "benefit of employment" to employees or applicants on the basis of membership in the uniformed services, application for service, performance of service, or service obligation. However, the U.S. Court of Appeals for the Eighth Circuit held in 2002 that USERRA does not prohibit wage discrimination because "wages or salary for work performed" are specifically excluded from the law's definition of "benefit of employment." *Gagnon v. Sprint Corp.*, 284 F.3d 839, 853 (8th Cir. 2002).

Senate Bill

Section 403 of H.R. 1037, as amended, would amend section 4303(2) of title 38, U.S.C., to make it clear that wage discrimination is not permitted under USERRA.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 701 of the Compromise Agreement follows the Senate Bill.

CLARIFICATION OF THE DEFINITION OF "SUCCESSOR IN INTEREST"

Current Law

Section 4303 of title 38, U.S.C., uses a broad definition of the term "employer" and includes in subsection (4)(A)(iv) a definition of a "successor in interest." In regulations, the

Department of Labor has provided that an employer is a “successor in interest” where there is a substantial continuity in operations, facilities and workforce from the former employer. It further stipulates that the determination of whether an employer is a successor in interest must be made on a case-by-case basis using a multifactor test (20 CFR §1002.35). One Federal court, however, in a decision made prior to the promulgation of the regulation, held that an employer could not be a successor in interest unless there was a merger or transfer of assets from the first employer to the second. (See *Coffman v. Chugach Support Services Inc.*, 411 F.3d 1231 (11th Cir. 2005); but see *Murphree v. Communications Technologies, Inc.*, 460 F. Supp. 2d 702 (E.D. La 2006) applying 20 CFR §1002.35 and rejecting the *Coffman* merger or transfer of assets requirement.)

Senate Bill

Section 402 of H.R. 1037, as amended, would amend section 4303 of title 38, U.S.C., to clarify the definition of “successor in interest” by incorporating language that mirrors the regulatory definition adopted by the Department of Labor.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 702 of the Compromise Agreement follows the Senate Bill.

TECHNICAL AMENDMENTS

Senate Bill

Section 406 of H.R. 1037, as amended, would make three technical and conforming changes to various provisions of law in order to correct cross references to various USERRA provisions contained in chapter 43 of title 38, U.S.C., and clarify existing language in the USERRA.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 703 of the Compromise Agreement follows the Senate Bill.

TITLE VIII—BENEFITS MATTERS

INCREASE IN NUMBER OF VETERANS FOR WHICH PROGRAMS OF INDEPENDENT LIVING SERVICES AND ASSISTANCE MAY BE INITIATED

Current Law

Section 3120(e) of title 38, U.S.C., authorizes VA to initiate a program of independent living services for no more than 2,600 service-connected disabled veterans in each fiscal year.

Senate Bill

Section 301 of H.R. 1037, as amended, would eliminate the annual cap on the number of service-connected disabled veterans who may enroll in a program of independent living.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 801 of the Compromise Agreement would increase to 2,700 the number of veterans who may initiate a program of independent living services in any fiscal year.

PAYMENT OF UNPAID BALANCES OF DEPARTMENT OF VETERANS AFFAIRS GUARANTEED LOANS

Current Law

Under current law, section 3732 of title 38, U.S.C., provides default procedures for VA home loans and illustrates the actions VA may take to preserve the loan before suit or foreclosure. However, it does not address what would occur in the event an individual

files for bankruptcy and a loan is modified under the authority provided under section 1322(b) of title 11.

Senate Bill

Section 304 of H.R. 1037, as amended, would amend section 3732(a)(2) by adding a new subparagraph that would authorize additional default procedures for VA home loans in the event that a VA home loan is modified under the authority provided under section 1322(b) of title 11. This new authority would allow VA to pay the holder of the obligation the unpaid balance of the obligation, plus accrued interest, due as of the date of the filing of the petition under title 11, but only upon the assignment, transfer, and delivery to VA in a form and manner satisfactory to VA of all rights, interest, claims, evidence, and records with respect to the housing loan.

House Bill

The House bills contain no comparable provision.

Compromise Agreement

Section 802 of the Compromise Agreement follows the Senate Bill.

ELIGIBILITY OF DISABLED VETERANS AND MEMBERS OF THE ARMED FORCES WITH SEVERE BURN INJURIES FOR AUTOMOBILES AND ADAPTIVE EQUIPMENT

Current Law

Under current law, section 3901 of title 38, U.S.C., veterans and members of the Armed Forces are eligible for assistance with automobiles and adaptive equipment if they suffer from one of three qualifying service-connected disabilities: loss or permanent loss of use of one or both feet; loss or permanent loss of use of one or both hands; or a central visual acuity of 20/200 or less or a peripheral field of vision of 20 degrees or less.

Senate Bill

Section 302 of H.R. 1037, as amended, would amend section 3901 of title 38, U.S.C., so as to include individuals with a service-connected disability due to a severe burn injury, effective October 1, 2010. The scope and definition of what constitutes a disability due to a severe burn injury would be determined pursuant to regulations prescribed by VA.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 803 of the Compromise Agreement follows the Senate Bill, except that provision would take effect on October 1, 2011.

ENHANCEMENT OF AUTOMOBILE ASSISTANCE ALLOWANCE FOR VETERANS

Current Law

Under current law, section 3902 of title 38, U.S.C., provides up to \$11,000 to eligible veterans and servicemembers for the purchase of an automobile or other conveyance and adaptive equipment to safely operate either.

Senate Bill

Section 303 of H.R. 1037, as amended, would amend section 3902 of title 38, U.S.C., to increase the maximum authorized automobile assistance allowance from \$11,000 to \$22,500, effective October 1, 2010. Section 303 would also direct VA to establish a method of determining the average retail cost of new automobiles for the preceding calendar year. The maximum allowance would increase, effective October 1 of each fiscal year, beginning in 2011, to an amount equal to 80 percent of what VA determined to be the average retail cost of new automobiles for the preceding calendar year.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 804 of the Compromise Agreement would generally follow the Senate Bill. However, the amount of the allowance was increased to \$18,900 instead of \$22,500. This allowance would be adjusted October 1 of each year, beginning in 2011, by a percentage equal to the percentage by which the Consumer Price Index for all urban consumers (U.S. city average) increased during the 12-month period ending with the last month for which Consumer Price Index data is available. If the Consumer Price Index does not increase, the amount of the allowance will remain the same as the previous fiscal year.

NATIONAL ACADEMIES REVIEW OF BEST TREATMENTS FOR GULF WAR ILLNESS

Current Law

Current law contains no relevant provision.

Senate Bill

Section 601 of H.R. 1037, as amended, would require VA to contract with the Institute of Medicine to gather a group of medical professionals, who are experienced in treating individuals diagnosed with Gulf War Illness, in order to conduct a comprehensive review of the best treatments for this illness. The individuals these medical professionals must have experience treating must have served during the Persian Gulf War in the Southwest Asia theater of operations, or in Afghanistan, Iraq, or any other theater in which the Global War on Terrorism Expeditionary Medal is awarded for service.

The final report on the review required by this section must be submitted to VA and the House and Senate Committees on Veterans' Affairs by December 31, 2011, and include recommendations for legislative or administrative actions as the Institute of Medicine considers appropriate in light of the results of that review.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 805 of the Compromise Agreement generally follows the Senate Bill except that the final report is due to the Committees by December 31, 2012, and the term “chronic multisymptom illness” replaces the term “Gulf War Illness.”

EXTENSION AND MODIFICATION OF NATIONAL ACADEMY OF SCIENCES REVIEWS AND EVALUATIONS ON ILLNESS AND SERVICE IN PERSIAN GULF WAR AND POST 9/11 GLOBAL OPERATIONS THEATERS

Current Law

Public Law 105-277, the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, required VA to enter into an agreement with the National Academy of Sciences to review and evaluate the available scientific evidence regarding associations between illnesses and exposure to toxic agents, environmental or wartime hazards, or preventive medicines or vaccines associated with Persian Gulf War service. Congress extended these reviews and evaluations in Public Law 107-103, the Veterans Education and Benefits Expansion Act of 2001. This requirement will expire on October 1, 2010.

Public Law 105-368, the Veterans Programs Enhancement Act of 1998, required the National Academy of Sciences to examine the scientific and medical literature on the potential health effects of chemical and biological agents related to the 1991 Gulf War. The requirement for this examination ended in 2009.

Senate Bill

Section 602 of H.R. 1037, as amended, would extend until October 1, 2015, the mandate for

the National Academy of Sciences to review and evaluate scientific evidence regarding associations between illnesses and exposure. Section 602(b) would extend until October 1, 2018, the requirement for the National Academy of Sciences to report on the health effects of exposure.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 806 of the Compromise Agreement generally follows the Senate Bill except that it requires the disaggregation of results by theaters of operations before and after September 11, 2001.

EXTENSION OF AUTHORITY FOR REGIONAL OFFICE IN REPUBLIC OF THE PHILIPPINES

Current Law

Current law, section 315(b) of title 38, U.S.C., authorizes VA to maintain a regional office in the Republic of the Philippines until December 31, 2010. Congress has periodically extended this authority, most recently in Public Law 111-117, the Consolidated Appropriations Act, 2010.

Senate Bill

Section 603 of H.R. 1037, as amended, would authorize VA to maintain a regional office in the Republic of the Philippines until December 31, 2011.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 807 of the Compromise Agreement follows the Senate Bill, and adds that within one year, the Comptroller General would be required to provide a report to the House and Senate Committees on Veterans' Affairs and Appropriations on the activities of the Manila Regional Office. This report would also include an assessment of the costs and benefits of maintaining the office in the Philippines in comparison with moving the activities of the office to the United States.

EXTENSION OF AN ANNUAL REPORT ON EQUITABLE RELIEF

Current Law

Under current law, VA is authorized to provide monetary relief to persons whom the Secretary determines were deprived of VA benefits by reason of administrative error by a Federal Government employee. The Secretary may also provide relief which the Secretary determines is equitable to a VA beneficiary who has suffered a loss as a consequence of an erroneous decision made by a Federal Government employee. No later than April 1 of each year, the Secretary was required to submit to Congress a report containing a statement as to the disposition of each case recommended to the Secretary for equitable relief during the preceding calendar year; the requirement for this report was extended through December 31, 2009, by Public Law 109-233, the Veterans' Housing Opportunity and Benefits Improvement Act of 2006.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

The Compromise Agreement extends the requirement for the report on equitable relief through December 31, 2014.

AUTHORITY FOR THE PERFORMANCE OF MEDICAL DISABILITY EXAMINATIONS BY CONTRACT PHYSICIANS

Current Law

In 1996, in Public Law 104-275, the Veterans' Benefits Improvements Act of 1996, VA was authorized to carry out a pilot program of contract disability examinations through ten VA regional offices using amounts available for payment of compensation and pensions. During the initial pilot program, one contractor performed all contract examinations at the ten selected regional offices.

Subsequently, in 2003, in Public Law 108-183, the Veterans Benefits Act of 2003, VA was given additional, time-limited authority to contract for disability examinations using other appropriated funds. That initial authority was extended until December 31, 2010, by Public Law 110-389, the Veterans' Benefits Improvement Act of 2008. VA continues to report high demand for compensation and pension examinations and satisfaction with the contracted examinations.

Senate Bill

S. 3609 would extend VA's authority, through December 31, 2012, to use appropriated funds for the purpose of contracting with non-VA providers to conduct disability examinations. The examinations would be conducted pursuant to contracts entered into and administered by the Under Secretary for Benefits.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 809 of the Compromise Agreement follows the Senate Bill.

TITLE IX—AUTHORIZATION OF MEDICAL FACILITY PROJECTS AND MAJOR MEDICAL FACILITY LEASES

AUTHORIZATION OF FISCAL YEAR 2011 MAJOR MEDICAL FACILITY LEASES

Current Law

Current law contains no relevant provision.

Senate Bill

Section 203 of S. 3325, as amended, would authorize fiscal year 2011 major medical facility leases as follows:

\$7,149,000 for a Community Based Outpatient Clinic (CBOC) in Billings, Montana.

\$3,316,000 for an Outpatient Clinic in Boston, Massachusetts.

\$21,495,000 for a CBOC in San Diego, California.

\$10,055,000 for a Research Lab in San Francisco, California.

\$5,323,000 for a Mental Health Facility in San Juan, Puerto Rico.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 901 of the Compromise Agreement follows the Senate Bill.

MODIFICATION OF AUTHORIZATION AMOUNT FOR MAJOR MEDICAL FACILITY CONSTRUCTION PROJECT PREVIOUSLY AUTHORIZED FOR THE DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, NEW ORLEANS, LOUISIANA

Current Law

Current law contains no relevant provision.

Senate Bill

Section 201 of S. 3325, as amended, authorizes up to \$995,000,000 for restoration, new construction, or replacement of the medical care facility for the VA Medical Center (VAMC) at New Orleans, Louisiana.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 902 of the Compromise Agreement modifies previous authorizations by providing \$995,000,000 for restoration, new construction, or replacement of the medical care facility for the VAMC at New Orleans, Louisiana.

MODIFICATION OF AUTHORIZATION AMOUNT FOR MAJOR MEDICAL FACILITY CONSTRUCTION PROJECT PREVIOUSLY AUTHORIZED FOR THE DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, LONG BEACH, CALIFORNIA

Current Law

Current law contains no relevant provision.

Senate Bill

Section 202 of S. 3325, as amended, authorizes up to \$117,845,000 to conduct seismic corrections on Buildings 7 and 126 at the VAMC in Long Beach, California.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 903 of the Compromise Agreement modifies previous authorizations by providing \$117,845,000 to conduct seismic corrections on Buildings 7 and 126 at the VAMC in Long Beach, California.

AUTHORIZATION OF APPROPRIATIONS

Current Law

Current law contains no relevant provision.

Senate Bill

Section 204 of S. 3325, as amended, authorizes \$47,338,000 to be appropriated to the Medical Facilities account for the leases authorized in section 901 and \$1,112,845,000 to be appropriated to the Construction, Major Projects account for the projects authorized in sections 902 and 903.

House Bill

The House Bills contain no applicable provision.

Compromise Agreement

Section 904 of the Compromise Agreement generally follows the Senate Bill.

REQUIREMENT THAT BID SAVINGS ON MAJOR MEDICAL FACILITY PROJECTS OF DEPARTMENT OF VETERANS AFFAIRS BE USED FOR OTHER MAJOR MEDICAL FACILITY CONSTRUCTION PROJECTS OF THE DEPARTMENT

Current Law

Current law contains no relevant provision.

Senate Bill

Section 207 of S. 3325, as amended, contains a provision that requires that bid savings from major medical facility projects realized in any fiscal year must be used for major medical facility projects authorized for that fiscal year or a prior year. At the time of obligation, VA would be required to submit to the Committees on Veterans' Affairs and Appropriations of the Senate and the House of Representatives notice of the source of the savings, the amount obligated, and the authorized project the savings are being obligated to.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 905 of the Compromise Agreement follows the Senate Bill.

TITLE X—OTHER MATTERS TECHNICAL CORRECTIONS

Current Law

Current law contains no relevant provision.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 1001 of the Compromise Agreement contains technical corrections to title 38, U.S.C.

*STATUTORY PAY-AS-YOU-GO ACT COMPLIANCE
Current Law*

Public Law 111-139, the Statutory Pay-As-You-Go Act (PAYGO Act), requires that most new spending is offset by spending cuts or added revenue elsewhere.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 1002 of the Compromise Agreement contains language required by the PAYGO Act in order for the estimate of budgetary effects from the Senate Budget Committee to be used by the Office of Management and Budget on PAYGO scorecards.

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

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

Mr. Speaker, I rise in support of H.R. 3219, as amended, the Veterans' Benefits Act of 2010.

This is an omnibus benefit and health bill that contains many provisions to help veterans and their families. I am glad that we were finally able to work this out with the Senate and, really, pass many of the provisions that the House had passed previously in the summer of 2009.

This bill contains many provisions authored also by my Republican colleagues, including:

The Pat Tillman Scholarship Initiative that would require the VA to publish a list of college scholarship opportunities for veterans on their Web site. This initiative grew from a meeting that my staff had with the family of the U.S. Army Ranger and former NFL star, Pat Tillman.

After Tillman's death in Afghanistan, his family and friends founded the Pat Tillman Foundation. Foundation staff informed my staff that they were having problems educating and reaching potential veterans for college scholarships they were awarding. This provision will assist groups like the Pat Tillman Foundation by informing veterans of scholarship opportunities for veterans by placing them on their Web site.

We also have the reauthorization of the Homeless Veteran Reintegration Program. This program is run by the Department of Labor's Veterans Employment and Training Service and provides grants to local homeless veteran providers for job-skill training and counseling. This program has been lauded as one of the most successful programs in the Federal Government in combating homelessness.

I am also pleased that we were able to include an expansion of this program to local homeless providers that offer job skill training for homeless women veterans and homeless veterans with children. This is an initiative that I have worked on, and I appreciate the cooperation of the majority to make this, in fact, a reality.

I took up a cause with regard to addressing this in the 1990s, when the Clinton administration went into a lot of the inner cities and wanted to help recruit women with children, as we were doing the welfare reform initiatives, and bring them into the military. So they joined the military and then they also brought their children. When they left the military, some actually returned to welfare and some became homeless. The fact that we have women with children in America who are homeless, I could not stand that thought.

□ 2040

So I want to thank the majority for working with us in making these provisions a reality.

This expansion was originally drafted as H.R. 293 and was part of the Nobel Warrior Initiatives that I introduced in January of 2009. Unfortunately, this program is needed, as I said, because recent reports also by the VA indicate 9 percent of the homeless veteran population is women, many of whom have children. These individuals obviously require a safe and supportive environment in a private setting in which they can regain their footing and acquire skills which will lead them to meaningful employment. Once that occurs, they become self-enriched, and they also become better mentors to their children.

I hope that this expansion, more homeless veteran providers, will expand beyond their normal male-dominated services to assist women as well as homeless veterans with children.

Another one of my provisions in H.R. 3219, as amended, would allow veterans to purchase additional amounts of Veterans Group Life Insurance coverage. Currently the amount of VGLI coverage that a veteran can have cannot be changed. Because the level of coverage must be made within the first year of a servicemember's discharge, and because most of the separating servicemembers are young and single, many select levels that become insufficient as they age and have families. The provision would allow veterans to purchase up to \$400,000 of VGLI coverage in \$25,000 increments every 5 years until age 60. The cost of such increases would be offset by premiums, so there would be no direct cost to taxpayers.

This provision would also allow veterans to tailor their life insurance coverage to fit their current needs and provide greater security for their families, and I am glad it was included in the bill.

The final provision I would like to highlight was introduced by the rank-

ing member of the Subcommittee on Economic Opportunity, JOHN BOOZMAN. This provision would establish a program to make grants of up to \$200,000 to encourage the development of new assistive technologies for specifically adaptive housing.

The goal of this provision is to encourage the development of technology to provide the maximum level of independence to severely disabled veterans in their daily living. This includes emerging technologies such as voice command operations, integrated computer-managed functions, and fall prevention devices, and I am pleased this measure will also authorize much of the needed funding for this goal.

I am also pleased this bill includes many other improvements for veterans and their families, such as creating a new veterans energy-related employment program; increasing training for veteran employment specialists; increasing protections for deployed servicemembers under the Servicemembers Civil Relief Act in regard to cell phone contracts; providing numerous VA life insurance program improvements; increasing the plot and burial allowance for deceased veterans; authorizing aid and attendance benefits for veterans with traumatic brain injury; increasing the number of veterans who can begin receiving independent living services; expanding eligibility for adaptive auto grants to disabled veterans and servicemembers with severe burn injuries; and requiring a National Academies study of best treatments for chronic multi-symptom illness in Persian Gulf veterans.

It authorizes the funding for construction of medical facilities and/or community outpatient clinics in Long Beach, California; Billings, Montana; Boston, Massachusetts; San Francisco, California; and San Juan, Puerto Rico. We also have an increase in here with regard to the hospital in New Orleans.

Under section 902 of title IX under "construction," the modification of authorization for the amount of medical facility construction projects previously authorized for the Department of Veterans Affairs Medical Center in New Orleans, Louisiana, increases from \$625 million to \$995 million.

The reason I stopped to highlight that is I am going to exercise some disappointment, because we were never able to achieve a joint facility and agreement to actually save money by having some jointness here between Tulane and LSU and another one of the hospitals. This is a lost opportunity. It is really unfortunate. So we are going to be building another one of these big state-of-the-art VA hospitals, and it costs now about \$1 billion.

I reserve the balance of my time.

Mr. FILNER. Mr. Speaker, I yield 5 minutes to the gentlewoman from Nevada (Ms. BERKLEY), who is a former member of our committee and whom we miss very, very, very much.

Ms. BERKLEY. I want to particularly thank Chairman FILNER for shepherding this very important piece of

legislation through the Congress. I know it wasn't easy, but it was a very important task, and he did it very well.

I rise today in support of the Senate amendments to H.R. 3219, the Veterans' Insurance and Health Care Improvements Act. It is this Nation's responsibility, indeed, it is our honor, to provide care to the brave men and women who have served this Nation so well and have sacrificed much on behalf of the rest of us. This legislation goes a long way to address many of the needs of our veterans.

About 13 years ago when I was first contemplating running for Congress, I met with a group of veterans, and then I met with another group, and I met with another group, all in the Las Vegas area. And I wasn't particularly surprised when they told me they didn't think they got the quality of care that was due them through the VA, and I wasn't surprised when they told me we didn't have a VA hospital in the southern Nevada area, or we had a large number of homeless veterans.

But what surprised me more than anything was family after family spoke of how difficult it was when the time came to bury their family member who was a veteran, that they had a difficult time finding the money so they could make a decent burial for this veteran.

I couldn't understand exactly why that was. I knew that we were providing veteran benefits in order to bury our veterans and to give them grave markers. Then I came to Congress and I started serving on the Veterans Affairs Committee, and I learned that the original bill that provided this funding was not indexed to inflation, and consequently the value continued to diminish with every passing year.

We have not changed the amount of money that we provide families for burying their veteran family members since the early 1970s. This bill finally, after introducing legislation year after year that I have been here in Congress, finally this piece of legislation provides the funding and moves us in the right direction so that families don't have a tremendous hardship when they bury their family members who were veterans and have fought for this Nation.

I could not be happier that we are doing this. It is an important piece of legislation. People don't realize it until you are in that position yourself. I am glad that the Veterans Committees in the House and the Senate have all recognized the importance of increasing these benefits. We have included these provisions today in the bill before us. Our veterans deserve to be laid to rest with the full recognition of their military service. This bill is a step in the right direction.

We always talk about supporting our veterans. You hear it here. Each one of us talks about supporting our veterans. This is a piece of legislation in which we can actually demonstrate our support of our veterans.

Mr. BUYER. I reserve my time.

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

I just wanted to thank the gentlelady, frankly, for not only her persistence in this particular benefit that is so important but, as I understand it, the Las Vegas veterans hospital is under construction.

You fought for that for more than a decade and it is finally going to be built. When does it open?

I yield to the gentlewoman.

Ms. BERKLEY. It is going to be completed at the end of 2011 and opened in 2012.

Mr. FILNER. We applaud again your persistence for that. We know the veterans in Las Vegas and surroundings are going to be well served.

Ms. BERKLEY. I hope you join us for the grand opening.

Mr. FILNER. I thank the gentlewoman.

I reserve the balance of my time.

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

I would like to take the opportunity to thank the highly capable staff of the House Veterans Affairs Committee, not only the full committee, but also the subcommittees. It seems that each session of Congress both bodies pass so many different individual pieces of legislation that we have picked up as a now regular course of doing business creating an omnibus bill.

□ 2050

So we do a puts and takes, back and forth between the House and the Senate, and we actually then create a much larger bill that we then bring to the floor that can best serve the interests of America's veterans.

And that's in fact what we have here. This is really a very good bill. I couldn't begin to tell you, Mr. Speaker, how many hours have gone into the development of this bill. It is a bipartisan bill. I really appreciate the work of not only my colleagues in the Senate, but also their staff.

At this time I would specifically like to mention the leadership of Colonel Malcom Shorter. I would like to thank you for your leadership, sir, on the committee. I recognize it and it is appreciated. And to your counterpart, your pilot, an Air Force colonel himself, Kingston Smith, the Republican House staff director. The two staff directors I think worked very well together, both having worn the uniform. You don't get caught down in the fights between political parties. You think about serving the men and women in uniform. And for that I want to congratulate both of you for keeping everyone focused.

I also want to thank David Tucker. David is someone that I have known for a lot of years on the committee. I find him to be a man of distinct honor and integrity. You have always been a very straight shooter, David. Also, he is one whereby if in fact you raise an issue of law or I have raised an issue of law, we diligently dive into it and we

get our interpretations and we also get Kingston Smith for his read. But I have had a distinct pleasure, David, of working with you over the years, and I want to recognize your valuable contribution not only in this bill, but what you have done over the years. I consider your talent valuable, but I consider your friendship even more.

To Juan Lara, the Subcommittee on Economic Opportunity, the staff director, thank you very much for your work with Mike Brinck on the Subcommittee on Economic Opportunity. Not only do you two work together, but you also take the leads of STEPHANIE HERSETH SANDLIN and Dr. BOOZMAN. And, as I said many times, this subcommittee sets the pace not only for the House Veterans' Affairs Committee itself, but I think you set the pace for the entire Congress. This little subcommittee, how you work together interoperably, you can't even tell who is a Republican and who is a Democrat. For that, I congratulate you. I think America would rejoice and may even be surprised that somebody in this town thinks about being an American first. So I want to thank you for your leadership and being a pacesetter.

Kimberly Ross, the Subcommittee on Disability Assistance and Memorial Affairs staff director, along with Brian Lawrence, the Subcommittee on Disability Assistance Republican Staff Director, both are also pacesetters and don't always get all the attention that they should. Brian, along with Mike Brinck, these are two individuals that are also incredibly talented. Mike, I really appreciate all the years that I have had the opportunity to work with you. And, Jon, I would say for you, you're an individual for whom much is expected. I truly believe that.

I guess I am at that point in my career, Mr. Speaker, that I am being a little nostalgic because I recognize individuals, that their diligence, hard work, it's invaluable to the committee; it's invaluable to Congress. There's a reason that we call them professional staff, because that's exactly what they are. They are very professional in their work. Both committees can actually go to a professional staffer and they're going to tell them exactly the read or give them the recommendation for the best interest in how to serve the Nation. And so these individuals whom I have read truly live up to the status of being a professional staffer here in Congress.

I also recognize that this is probably the last markup I will have with the House Veterans' Affairs Committee. I want to share this. It has truly been a distinct honor to serve the Nation's veterans, Mr. Speaker. I serve the men and women who wear the military uniform. I help take care of their families, the spouses, the children, the widows, the orphans, the consequences of war, the consequences of their service; and it has been a distinct honor to work with a lot of very talented people to do that.

I get upset at times in the committee, and I can have disagreements even with my friends in the veterans service organizations when individuals play their politics or they don't follow the rules or they don't follow the process. And we're meant to be a bipartisan committee. When that doesn't happen, I can get really upset pretty quick.

So I'll end with saying that, Mr. Speaker, it has been a distinct honor. I have also enjoyed serving with you, JESSE.

With that, I yield back the balance of my time.

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

Mr. Speaker, I don't know that we'll be in session again before Veterans Day on November 11. This is a bill that will really raise the level of standards for all of our Nation's veterans; and we can look at it as, I think, a perfect gift that can be delivered on Veterans Day. So I ask my colleagues to unanimously support H.R. 3219.

I have no further requests for time, 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 concur in the Senate amendments to the bill, H.R. 3219.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to a concurrent resolution of the House of the following title.

H. Con. Res. 321. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3081. An act making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2010, and for other purposes.

M.R. "BUCKY" WALTERS POST OFFICE

Mr. DRIEHAUS. Mr. Speaker, I would like to withdraw my motion to suspend the rules and pass the bill (H.R. 6014) to designate the facility of the United States Postal Service located at 212 Main Street in Hartman, Arkansas, as the "M.R. 'Bucky' Walters Post Office".

The SPEAKER pro tempore. Without objection, the motion is withdrawn.

There was no objection.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT OF 2010

Mr. GORDON of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3729) to authorize the programs of the National Aeronautics and Space Administration for fiscal years 2011 through 2013, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3729

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

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "National Aeronautics and Space Administration Authorization Act of 2010".

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

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

Sec. 3. Definitions.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

Sec. 101. Fiscal year 2011.

Sec. 102. Fiscal year 2012.

Sec. 103. Fiscal year 2013.

TITLE II—POLICY, GOALS, AND OBJECTIVES FOR HUMAN SPACE FLIGHT AND EXPLORATION

Sec. 201. United States human space flight policy.

Sec. 202. Goals and objectives.

Sec. 203. Assurance of core capabilities.

Sec. 204. Independent study on human exploration of space.

TITLE III—EXPANSION OF HUMAN SPACE FLIGHT BEYOND THE INTERNATIONAL SPACE STATION AND LOW-EARTH ORBIT

Sec. 301. Human space flight beyond low-Earth orbit.

Sec. 302. Space Launch System as follow-on launch vehicle to the Space Shuttle.

Sec. 303. Multi-purpose crew vehicle.

Sec. 304. Utilization of existing workforce and assets in development of Space Launch System and multi-purpose crew vehicle.

Sec. 305. NASA launch support and infrastructure modernization program.

Sec. 306. Report on effects of transition to Space Launch System on the solid and liquid rocket motor industrial bases.

Sec. 307. Sense of Congress on other technology and robotic elements in human space flight and exploration.

Sec. 308. Development of technologies and in-space capabilities for beyond near-Earth space missions.

Sec. 309. Report requirement.

TITLE IV—DEVELOPMENT AND USE OF COMMERCIAL CREW AND CARGO TRANSPORTATION CAPABILITIES

Sec. 401. Commercial Cargo Development program.

Sec. 402. Commercial Crew Development program.

Sec. 403. Requirements applicable to development of commercial crew transportation capabilities and services.

Sec. 404. Report on International Space Station cargo return capability.

TITLE V—CONTINUATION, SUPPORT, AND EVOLUTION OF THE INTERNATIONAL SPACE STATION

Sec. 501. Continuation of the International Space Station through 2020.

Sec. 502. Maximum utilization of the International Space Station.

Sec. 503. Maintenance of the United States segment and assurance of continued operations of the International Space Station.

Sec. 504. Management of the ISS national laboratory.

TITLE VI—SPACE SHUTTLE RETIREMENT AND TRANSITION

Sec. 601. Sense of Congress on the Space Shuttle program.

Sec. 602. Retirement of Space Shuttle orbiters and transition of Space Shuttle program.

Sec. 603. Disposition of orbiter vehicles.

TITLE VII—EARTH SCIENCE

Sec. 701. Sense of Congress.

Sec. 702. Interagency collaboration implementation approach.

Sec. 703. Transitioning experimental research to operations.

Sec. 704. Decadal survey missions implementation for Earth observation.

Sec. 705. Expansion of Earth science applications.

Sec. 706. Instrument test-beds and venture class missions.

Sec. 707. Sense of Congress on NPOESS follow-on program.

TITLE VIII—SPACE SCIENCE

Sec. 801. Technology development.

Sec. 802. Suborbital research activities.

Sec. 803. Overall science portfolio-sense of the Congress.

Sec. 804. In-space servicing.

Sec. 805. Decadal results.

Sec. 806. On-going restoration of radioisotope thermoelectric generator material production.

Sec. 807. Collaboration with ESMD and SOMD on robotic missions.

Sec. 808. Near-Earth object survey and policy with respect to threats posed.

Sec. 809. Space weather.

TITLE IX—AERONAUTICS AND SPACE TECHNOLOGY

Sec. 901. Sense of Congress.

Sec. 902. Aeronautics research goals.

Sec. 903. Research collaboration.

Sec. 904. Goal for agency space technology.

Sec. 905. Implementation plan for agency space technology.

Sec. 906. National space technology policy.

Sec. 907. Commercial reusable suborbital research program.

TITLE X—EDUCATION

Sec. 1001. Report on education implementation outcomes.

Sec. 1002. Sense of Congress on the Experimental Program to Stimulate Competitive Research.

Sec. 1003. Science, technology, engineering, and mathematics commercial orbital platform program.

TITLE XI—RESCOPING AND REVITALIZING INSTITUTIONAL CAPABILITIES

Sec. 1101. Sense of Congress.

Sec. 1102. Institutional requirements study.

Sec. 1103. NASA capabilities study requirement.

Sec. 1104. Sense of Congress on community transition support.

Sec. 1105. Workforce stabilization and critical skills preservation.

TITLE XII—OTHER MATTERS

Sec. 1201. Report on space traffic management.

Sec. 1202. National and international orbital debris mitigation.

Sec. 1203. Reports on program and cost assessment and control assessment.