

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

VETERANS ECONOMIC OPPORTUNITY ACT OF 2013

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2481) to amend title 38, United States Code, to codify and improve the election requirements for the receipt of educational assistance under the Post-9/11 Educational Assistance program of the Department of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2481

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Veterans Economic Opportunity Act of 2013”.

(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.
- Sec. 3. Scoring of budgetary effects.
- Sec. 4. Establishment of Veterans Economic Opportunity Administration of Department of Veterans Affairs.
- Sec. 5. Under Secretary for Veterans Economic Opportunity.
- Sec. 6. Five-year extension of homeless veterans reintegration programs.
- Sec. 7. Entitlement of children of certain deceased veterans to educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs.
- Sec. 8. Recodification and improvement of election process for Post-9/11 Educational Assistance Program.
- Sec. 9. Centralized reporting of veteran enrollment by certain groups, districts, and consortiums of educational institutions.
- Sec. 10. Extension of loan guaranty fee for certain subsequent loans.
- Sec. 11. Mortgage protection for members of the Armed Forces, surviving spouses, and certain veterans.
- Sec. 12. Treatment of relocation for active duty for purposes of mortgage refinancing.
- Sec. 13. Requirements for lending institutions that are creditors for obligations and liabilities covered by the Servicemembers Civil Relief Act.
- Sec. 14. Protection of child custody arrangements for parents who are members of the Armed Forces.

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 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.

SEC. 3. SCORING OF BUDGETARY EFFECTS.

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 House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 4. ESTABLISHMENT OF VETERANS ECONOMIC OPPORTUNITY ADMINISTRATION OF DEPARTMENT OF VETERANS AFFAIRS.

(a) **ECONOMIC OPPORTUNITY ADMINISTRATION.**—

(1) **IN GENERAL.**—Part V is amended by adding at the end the following new chapter:

“CHAPTER 80—VETERANS ECONOMIC OPPORTUNITY ADMINISTRATION

“8001. Organization of Administration.

“8002. Functions of Administration.

“§ 8001. Organization of Administration

“(a) **VETERANS ECONOMIC OPPORTUNITY ADMINISTRATION.**—There is in the Department of Veterans Affairs a Veterans Economic Opportunity Administration. The primary function of the Veterans Economic Opportunity Administration is the administration of the programs of the Department which provide assistance related to economic opportunity to veterans and their dependents and survivors.

“(b) **UNDER SECRETARY FOR ECONOMIC OPPORTUNITY.**—The Veterans Economic Opportunity Administration is under the Under Secretary for Veterans Economic Opportunity, who is directly responsible to the Secretary for the operations of the Administration.

“§ 8002. Functions of Administration

“The Veterans Economic Opportunity Administration is responsible for the administration of the following programs of the Department:

“(1) Vocational rehabilitation and employment programs.

“(2) Educational assistance programs.

“(3) Veterans’ housing loan and related programs.

“(4) The veterans small business program under section 8127 of this title.”.

(2) **CLERICAL AMENDMENTS.**—The tables of chapters at the beginning of title 38, United States Code, and of part V of title 38, United States Code, are each amended by inserting after the item relating to chapter 79 the following new item:

“80. Veterans Economic Opportunity Administration 8001”.

(b) **EFFECTIVE DATE.**—Chapter 80 of title 38, United States Code, as added by subsection (a) shall take effect on October 1, 2014.

SEC. 5. UNDER SECRETARY FOR VETERANS ECONOMIC OPPORTUNITY.

(a) **UNDER SECRETARY.**—

(1) **IN GENERAL.**—Chapter 3 is amended by inserting after section 306 the following new section:

“§ 306A. Under Secretary for Veterans Economic Opportunity

“(a) **UNDER SECRETARY.**—There is in the Department an Under Secretary for Veterans Economic Opportunity, who is appointed by the President, by and with the advice and consent of the Senate. The Under Secretary for Veterans Economic Opportunity shall be appointed without regard to political affiliation or activity and solely on the basis of demonstrated ability in—

“(1) information technology; and

“(2) the administration of programs within the Veterans Economic Opportunity Administration or programs of similar content and scope.

“(b) **RESPONSIBILITIES.**—The Under Secretary for Veterans Economic Opportunity is

the head of, and is directly responsible to the Secretary for the operations of, the Veterans Economic Opportunity Administration.

“(c) **VACANCIES.**—(1) Whenever a vacancy in the position of Under Secretary for Veterans Economic Opportunity occurs or is anticipated, the Secretary shall establish a commission to recommend individuals to the President for appointment to the position.

“(2) A commission established under this subsection shall be composed of the following members appointed by the Secretary:

“(A) Three persons representing education and training, vocational rehabilitation, employment, real estate, mortgage finance and related industries, and survivor benefits activities affected by the Veterans Economic Opportunity Administration.

“(B) Two persons representing veterans served by the Veterans Economic Opportunity Administration.

“(C) Two persons who have experience in the management of private sector benefits programs of similar content and scope to the economic opportunity programs of the Department.

“(D) The Deputy Secretary of Veterans Affairs.

“(E) The chairman of the Veterans’ Advisory Committee on Education formed under section 3692 of this title.

“(F) One person who has held the position of Under Secretary for Veterans Economic Opportunity, if the Secretary determines that it is desirable for such person to be a member of the commission.

“(3) A commission established under this subsection shall recommend at least three individuals for appointment to the position of Under Secretary for Veterans Economic Opportunity. The commission shall submit all recommendations to the Secretary. The Secretary shall forward the recommendations to the President and the Committees on Veterans’ Affairs of the Senate and House of Representatives with any comments the Secretary considers appropriate. Thereafter, the President may request the commission to recommend additional individuals for appointment.

“(4) The Assistant Secretary or Deputy Assistant Secretary of Veterans Affairs who performs personnel management and labor relations functions shall serve as the executive secretary of a commission established under this subsection.

(d) **QUALIFICATIONS OF RECOMMENDED INDIVIDUALS.**—Each individual recommended to the President by the commission for appointment to the position of Under Secretary for Veterans Economic Opportunity shall be an individual who has held a senior level position in the private sector with responsibilities relating to at least one of the following:

“(1) Education policy.

“(2) Vocational rehabilitation.

“(3) Employment.

“(4) Home loan finance.

“(5) Small business development.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 306 the following new item:

“306A. Under Secretary for Veterans Economic Opportunity.”.

(b) **CONFORMING AMENDMENTS.**—Title 38, United States Code, is further amended—

(1) in section 306(c)(2), by striking subparagraphs (A) and (E) and redesignating subparagraphs (B), (C), (D), and (F), as subparagraphs (A) through (D), respectively;

(2) in section 317(d), by inserting after “Under Secretary for Benefits,” the following: “the Under Secretary for Veterans Economic Opportunity,”;

(3) in section 318(d)(2), by inserting after “Under Secretary for Benefits,” the following: “the Under Secretary for Veterans Economic Opportunity,”;

(4) in section 516(e)(2)(C), by striking “Health and the Under Secretary for Benefits” and inserting “Health, the Under Secretary for Benefits, and the Under Secretary for Veterans Economic Opportunity”;

(5) in section 541(a)(2)(B), by striking “Health and the Under Secretary for Benefits” and inserting “Health, the Under Secretary for Benefits, and the Under Secretary for Veterans Economic Opportunity”;

(6) in section 542(a)(2)(B)(iii), by striking “Health and the Under Secretary for Benefits” and inserting “Health, the Under Secretary for Benefits, and the Under Secretary for Veterans Economic Opportunity”;

(7) in section 544(a)(2)(B)(vi), by striking “Health and the Under Secretary for Benefits” and inserting “Health, the Under Secretary for Benefits, and the Under Secretary for Veterans Economic Opportunity”;

(8) in section 709(c)(2)(A), by inserting after “Under Secretary for Benefits,” the following: “the Under Secretary for Veterans Economic Opportunity.”;

(9) in section 7701(a), by inserting after “assistance” the following: “, other than assistance related to economic opportunity.”; and

(10) in section 7703, by striking paragraphs (2) and (3) and redesignating paragraphs (4) and (5) as paragraphs (2) and (3), respectively.

(c) **FULL-TIME EMPLOYEES.**—For fiscal years 2014 and 2015, the aggregate number of full-time equivalent employees authorized for the Veterans Benefit Administration and the Veterans Economic Opportunity Administration, as established under chapter 80 of title 38, United States Code, as added by section 2, may not exceed 20,851.

(d) **EFFECTIVE DATE.**—Section 306A of title 38, United States Code, as added by subsection (a), and the amendments made by this section, shall take effect on October 1, 2014.

SEC. 6. FIVE-YEAR EXTENSION OF HOMELESS VETERANS REINTEGRATION PROGRAMS.

Section 2021(e)(F) of title 38, United States Code, is amended by striking “2013” and inserting “2018”.

SEC. 7. ENTITLEMENT OF CHILDREN OF CERTAIN DECEASED VETERANS TO EDUCATIONAL ASSISTANCE UNDER THE POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) **IN GENERAL.**—Section 3311(b)(9) is amended—

(1) by striking “2001, dies in line of duty while serving on active duty as a member of the Armed Forces.” and inserting “2001—”; and

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

“(A) dies in line of duty while serving on active duty as a member of the Armed Forces; or

“(B) is awarded the Purple Heart for an injury and dies as a result of that injury during the 31-day period beginning on the date of the person’s discharge or release from active duty service in the Armed Forces.”.

(b) **APPLICABILITY.**—The amendments made by subsection (a) shall apply with respect to a person who dies on or after September 11, 2001.

(c) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on October 1, 2014, and apply to payments of educational assistance for programs of education pursued after that date.

SEC. 8. RECODIFICATION AND IMPROVEMENT OF ELECTION PROCESS FOR POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM.

(a) **IN GENERAL.**—Subchapter III of chapter 33 is amended by adding at the end the following new section:

“§ 3326. Election to receive educational assistance

“(a) **INDIVIDUALS ELIGIBLE TO ELECT PARTICIPATION IN POST-9/11 EDUCATIONAL ASSISTANCE.**—An individual may elect to receive educational assistance under this chapter if such individual—

“(1) as of August 1, 2009—

“(A) is entitled to basic educational assistance under chapter 30 of the title and has used, but retains unused, entitlement under that chapter;

“(B) is entitled to educational assistance under chapter 107, 1606, or 1607 of title 10 and has used, but retains unused, entitlement under the applicable chapter;

“(C) is entitled to basic educational assistance under chapter 30 of this title but has not used any entitlement under that chapter;

“(D) is entitled to educational assistance under chapter 107, 1606, or 1607 of title 10 but has not used any entitlement under such chapter;

“(E) is a member of the Armed Forces who is eligible for receipt of basic educational assistance under chapter 30 this title and is making contributions toward such assistance under section 3011(b) or 3012(c) of this title; or

“(F) is a member of the Armed Forces who is not entitled to basic educational assistance under chapter 30 of this title by reason of an election under section 3011(c)(1) or 3012(d)(1) of this title; and

“(2) as of the date of the individual’s election under this paragraph, meets the requirements for entitlement to educational assistance under this chapter.

“(b) **CESSATION OF CONTRIBUTIONS TOWARD GI BILL.**—Effective as of the first month beginning on or after the date of an election under subsection (a) of an individual described by paragraph (1)(E) of that subsection, the obligation of the individual to make contributions under section 3011(b) or 3012(c) of this title, as applicable, shall cease, and the requirements of such section shall be deemed to be no longer applicable to the individual.

“(c) **REVOCAION OF REMAINING TRANSFERRED ENTITLEMENT.**—

“(1) **ELECTION TO REVOKE.**—If, on the date an individual described in paragraph (1)(A) or (1)(C) of subsection (a) makes an election under that subsection, a transfer of the entitlement of the individual to basic educational assistance under section 3020 of this title is in effect and a number of months of the entitlement so transferred remain unutilized, the individual may elect to revoke all or a portion of the entitlement so transferred that remains unutilized.

“(2) **AVAILABILITY OF REVOKED ENTITLEMENT.**—Any entitlement revoked by an individual under this paragraph shall no longer be available to the dependent to whom transferred, but shall be available to the individual instead for educational assistance under chapter 33 of this title in accordance with the provisions of this section.

“(3) **AVAILABILITY OF UNREVOKED ENTITLEMENT.**—Any entitlement described in paragraph (1) that is not revoked by an individual in accordance with that paragraph shall remain available to the dependent or dependents concerned in accordance with the current transfer of such entitlement under section 3020 of this title.

“(d) **POST-9/11 EDUCATIONAL ASSISTANCE.**—

“(1) **IN GENERAL.**—Subject to paragraph (2) and except as provided in subsection (e), an individual making an election under subsection (a) shall be entitled to educational assistance under this chapter in accordance with the provisions of this chapter, instead of basic educational assistance under chap-

ter 30 this title, or educational assistance under chapter 107, 1606, or 1607 of title 10, as applicable.

“(2) **LIMITATION ON ENTITLEMENT FOR CERTAIN INDIVIDUALS.**—In the case of an individual making an election under subsection (a) who is described by paragraph (1)(A) of that subsection, the number of months of entitlement of the individual to educational assistance under this chapter 33 shall be the number of months equal to—

“(A) the number of months of unused entitlement of the individual under chapter 30 of this title, as of the date of the election, plus

“(B) the number of months, if any, of entitlement revoked by the individual under subsection (c)(1).

“(e) **CONTINUING ENTITLEMENT TO EDUCATIONAL ASSISTANCE NOT AVAILABLE UNDER 9/11 ASSISTANCE PROGRAM.**—

“(1) **IN GENERAL.**—In the event educational assistance to which an individual making an election under subsection (a) would be entitled under chapter 30 of this title, or chapter 107, 1606, or 1607 of title 10, as applicable, is not authorized to be available to the individual under the provisions of this chapter the individual shall remain entitled to such educational assistance in accordance with the provisions of the applicable chapter.

“(2) **CHARGE FOR USE OF ENTITLEMENT.**—The utilization by an individual of entitlement under paragraph (1) shall be chargeable against the entitlement of the individual to educational assistance under this chapter at the rate of one month of entitlement under this chapter for each month of entitlement utilized by the individual under paragraph (1) (as determined as if such entitlement were utilized under the provisions of chapter 30 of this title, or chapter 107, 1606, or 1607 of title 10, as applicable).

“(f) **ADDITIONAL POST-9/11 ASSISTANCE FOR MEMBERS HAVING MADE CONTRIBUTIONS TOWARD GI BILL.**—

“(1) **ADDITIONAL ASSISTANCE.**—In the case of an individual making an election under subsection (a) who is described by subparagraph (A), (C), or (E) of paragraph (1) of that subsection, the amount of educational assistance payable to the individual under this chapter 33 as a monthly stipend payable under paragraph (1)(B) of section 3313(c) of this title, or under paragraphs (2) through (7) of that section (as applicable), shall be the amount otherwise payable as a monthly stipend under the applicable paragraph increased by the amount equal to—

“(A) the total amount of contributions toward basic educational assistance made by the individual under section 3011(b) or 3012(c) of this title, as of the date of the election, multiplied by

“(B) the fraction—

“(i) the numerator of which is—

“(I) the number of months of entitlement to basic educational assistance under chapter 30 of this title remaining to the individual at the time of the election; plus

“(II) the number of months, if any, of entitlement under such chapter 30 revoked by the individual under subsection (c)(1); and

“(ii) the denominator of which is 36 months.

“(2) **MONTHS OF REMAINING ENTITLEMENT FOR CERTAIN INDIVIDUALS.**—In the case of an individual covered by paragraph (1) who is described by subsection (a)(1)(E), the number of months of entitlement to basic educational assistance remaining to the individual for purposes of paragraph (1)(B)(i)(II) shall be 36 months.

“(3) **TIMING OF PAYMENT.**—The amount payable with respect to an individual under paragraph (1) shall be paid to the individual together with the last payment of the monthly stipend payable to the individual under paragraph (1)(B) of section 3313(c) of

this title, or under subsections (b) through (g) of that section (as applicable), before the exhaustion of the individual's entitlement to educational assistance under this chapter.

“(g) CONTINUING ENTITLEMENT TO ADDITIONAL ASSISTANCE FOR CRITICAL SKILLS OR SPECIALTY AND ADDITIONAL SERVICE.—An individual making an election under subsection (a)(1) who, at the time of the election, is entitled to increased educational assistance under section 3015(d) of this title, or section 16131(i) of title 10, or supplemental educational assistance under subchapter III of chapter 30 of this title, shall remain entitled to such increased educational assistance or supplemental educational assistance in the utilization of entitlement to educational assistance under this chapter, in an amount equal to the quarter, semester, or term, as applicable, equivalent of the monthly amount of such increased educational assistance or supplemental educational assistance payable with respect to the individual at the time of the election.

“(h) ALTERNATIVE ELECTION BY SECRETARY.—

“(1) IN GENERAL.—In the case of an individual who, on or after October 1, 2014, submits to the Secretary an election under this section that the Secretary determines is clearly against the interests of the individual, the Secretary may make an alternative election on behalf of the individual that the Secretary determines is in the best interests of the individual.

“(2) NOTICE.—If the Secretary makes an election on behalf of an individual under this subsection, the Secretary shall notify the individual by not later than seven days after making such election and shall provide the individual with a 30-day period, beginning on the date of the individual's receipt of such notice, during which the individual may modify or revoke the election made by the Secretary on the individual's behalf. The Secretary shall include, as part of such notice, a clear statement of why the alternative election made by the Secretary is in the best interests of the individual as compared to the election submitted by the individual. The Secretary shall provide the notice required under this paragraph by electronic means whenever possible.

“(i) IRREVOCABILITY OF ELECTIONS.—An election under subsection (a) or (c)(1) is irrevocable.”.

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

“326. Election to receive educational assistance.”.

(c) CONFORMING REPEAL.—Subsection (c) of section 5003 of the Post-9/11 Veterans Educational Assistance Act of 2008 (Public Law 110-252; 38 U.S.C. 3301 note) is hereby repealed.

SEC. 9. CENTRALIZED REPORTING OF VETERAN ENROLLMENT BY CERTAIN GROUPS, DISTRICTS, AND CONSORTIUMS OF EDUCATIONAL INSTITUTIONS.

(a) IN GENERAL.—Section 3684(a) is amended—

(1) in paragraph (1), by inserting “32, 33,” after “31.”; and

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

“(4) For purposes of this subsection, the term ‘educational institution’ may include a group, district, or consortium of separately accredited educational institutions located in the same State that are organized in a manner that facilitates the centralized reporting of the enrollments in such group, district, or consortium of institutions.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to reports submitted on or after the date of the enactment of this Act.

SEC. 10. EXTENSION OF LOAN GUARANTY FEE FOR CERTAIN SUBSEQUENT LOANS.

(a) EXTENSION.—Section 3729(b)(2)(B) is amended—

(1) in clause (i), by striking “October 1, 2017” and inserting “October 1, 2018”; and

(2) in clause (ii), by striking “October 1, 2017” and inserting “October 1, 2018”.

SEC. 11. MORTGAGE PROTECTION FOR MEMBERS OF THE ARMED FORCES, SURVIVING SPOUSES, AND CERTAIN VETERANS.

(a) MEMBERS OF THE ARMED FORCES, SURVIVING SPOUSES, AND CERTAIN DISABLED VETERANS.—

(1) IN GENERAL.—Title III of the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) is amended by inserting after section 303 the following new section:

“SEC. 303A. MORTGAGES AND TRUST DEEDS OF CERTAIN SERVICEMEMBERS, SURVIVING SPOUSES, AND DISABLED VETERANS.

“(a) MORTGAGE AS SECURITY.—This section applies only to an obligation on real or personal property owned by a covered individual that—

“(1) originated at any time and for which the covered individual is still obligated; and

“(2) is secured by a mortgage, trust deed, or other security in the nature of a mortgage.

“(b) STAY OF PROCEEDINGS.—

“(1) IN GENERAL.—In accordance with subsection (d)(1), in a judicial action pending or in a nonjudicial action commenced during a covered time period to enforce an obligation described in subsection (a), a court—

“(A) may, after a hearing and on its own motion, stay the proceedings until the end of the covered time period; and

“(B) shall, upon application by a covered individual, stay the proceedings until the end of the covered time period.

“(2) OBLIGATION TO STOP PROCEEDINGS.—Upon receipt of notice provided under subsection (d)(1), a mortgagee, trustee, or other creditor seeking to foreclose on real property secured by an obligation covered by this section using any judicial or nonjudicial proceedings shall immediately stop any such proceeding until the end of the covered time period.

“(c) SALE OR FORECLOSURE.—A sale, judicial or nonjudicial foreclosure, or seizure of property for a breach of an obligation described in subsection (a) that is not stayed under subsection (b) shall not be valid during a covered time period except—

“(1) upon a court order granted before such sale, judicial or nonjudicial foreclosure, or seizure with a return made and approved by the court; or

“(2) if made pursuant to an agreement as provided in section 107.

“(d) NOTICE REQUIRED.—

“(1) IN GENERAL.—To be covered under this section, a covered individual shall provide to the mortgagee, trustee, or other creditor written notice that such individual is so covered.

“(2) MANNER.—Written notice under paragraph (1) may be provided electronically.

“(3) TIME.—Notice provided under paragraph (1) shall be provided during the covered time period.

“(4) CONTENTS.—With respect to a servicemember described in subsection (g)(1)(A), notice shall include—

“(A) a copy of the servicemember's official military orders, or any notification, certification, or verification from a servicemember's commanding officer that provides evidence of servicemember's eligibility for special pay as described in subsection (g)(1)(A); or

“(B) an official notice using a form designed under paragraph (5).

“(5) OFFICIAL FORMS.—

“(A) IN GENERAL.—The Secretary of Defense shall design and distribute an official Department of Defense form that can be used by an individual to give notice under paragraph (1).

“(B) USE OF OFFICIAL FORM NOT REQUIRED.—Failure by any individual to use a form designed or distributed under subparagraph (A) to provide notice shall not make such provision of notice invalid.

“(e) AGGREGATE DURATION.—The aggregate duration for which a covered individual (except a servicemember described in subsection (g)(1)(A)) may be covered under this section is one year.

“(f) 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.

“(g) DEFINITIONS.—In this section:

“(1) COVERED INDIVIDUAL.—The term ‘covered individual’ means the following individuals:

“(A) A servicemember who is or was eligible for hostile fire or imminent danger special pay under section 310 of title 37, United States Code, during a period of military service.

“(B) A servicemember placed on convalescent status, including a servicemember transferred to the temporary disability retired list under section 1202 or 1205 of title 10, United States Code.

“(C) A veteran who was medically discharged and retired under chapter 61 of title 10, United States Code, except for a veteran described in section 1207 of such title.

“(D) A surviving spouse (as defined in section 101(3) of title 38, United States Code, and in accordance with section 103 of such title) of a servicemember who died while in military service if such spouse is the successor in interest to property covered under subsection (a).

“(2) COVERED TIME PERIOD.—The term ‘covered time period’ means the following time periods:

“(A) With respect to a servicemember who is or was eligible for hostile fire or imminent danger special pay under section 310 of title 37, United States Code, during a period of military service, during the period beginning on the first day on which the servicemember is or was eligible for such special pay during such period of military service and ending on the date that is one year after the last day of such period of military service.

“(B) With respect to a servicemember described in paragraph (1)(B), during the one-year period beginning on the date on which the servicemember is placed on convalescent status or transferred to the temporary disability retired list under section 1202 or 1205 of title 10, United States Code.

“(C) With respect to a veteran described in paragraph (1)(C), during the one-year period beginning on the date of the retirement of such veteran.

“(D) With respect to a surviving spouse of a servicemember as described in paragraph (1)(D), during the one-year period beginning on the date on which the spouse receives notice of the death of the servicemember.”.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 303 the following new item:

“Sec. 303A. Mortgages and trust deeds of certain servicemembers, surviving spouses, and disabled veterans.”.

(3) CONFORMING AMENDMENT.—Section 107 of the Servicemembers Civil Relief Act (50 U.S.C. App. 517) is amended by adding at the end the following:

“(e) OTHER INDIVIDUALS.—For purposes of this section, the term ‘servicemember’ includes any covered individual under section 303A.”.

(b) INCREASED CIVIL PENALTIES FOR MORTGAGE VIOLATIONS.—Paragraph (3) of section 801(b) of the Servicemembers Civil Relief Act (50 U.S.C. App. 597(b)(3)) is amended to read as follows:

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

“(A) with respect to a violation of section 207, 303, or 303A regarding real property—

“(i) in an amount not exceeding \$110,000 for a first violation; and

“(ii) in an amount not exceeding \$220,000 for any subsequent violation; and

“(B) with respect to any other violation of this Act—

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

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

(c) CREDIT DISCRIMINATION.—Section 108 of such Act (50 U.S.C. App. 518) is amended—

(1) by striking “Application by” and inserting “(a) APPLICATION OR RECEIPT.—Application by”; and

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

“(b) ELIGIBILITY.—In addition to the protections under subsection (a), an individual who is entitled to any right or protection provided under this Act may not be denied or refused credit or be subject to any other action described under paragraphs (1) through (6) of subsection (a) solely by reason of such entitlement.”.

(d) EFFECTIVE DATE.—Section 303A of the Servicemembers Civil Relief Act, as added by subsection (a), and the amendments made by this section, shall take effect on October 1, 2014.

SEC. 12. TREATMENT OF RELOCATION FOR ACTIVE DUTY FOR PURPOSES OF MORTGAGE REFINANCING.

(a) IN GENERAL.—Title III of the Servicemembers Civil Relief Act (50 U.S.C. App. 531 et seq.) is amended by inserting after section 303A, as added by section 11(a)(1), the following new section:

“SEC. 303B. TREATMENT OF RELOCATION FOR ACTIVE DUTY FOR PURPOSES OF MORTGAGE REFINANCING.

“(a) TREATMENT OF ABSENCE FROM RESIDENCE DUE TO ACTIVE DUTY.—

“(1) IN GENERAL.—Subject to paragraph (2), if, at any time that a servicemember who is the mortgagor under an existing mortgage does not reside in the residence that secures the existing mortgage because of relocation described in subsection (c)(1)(B), such servicemember inquires about or applies for a covered refinancing mortgage, such servicemember shall be, for all purposes relating to the covered refinancing mortgage, including such inquiry or application and eligibility for and compliance with any underwriting criteria and standards regarding such covered refinancing mortgage, considered to occupy the residence that secures the existing mortgage to be paid or prepaid by such covered refinancing mortgage as the principal residence of the servicemember during the period of any such relocation.

“(2) LIMITATION.—Paragraph (1) shall not apply with respect to a servicemember at any time if, during the five-year period preceding such time, the servicemember entered into a covered refinancing mortgage pursuant to this section.

“(b) MORTGAGES ORIGINATED BEFORE PERIOD MILITARY SERVICE.—If a covered refinancing mortgage is entered into pursuant to this section with respect to an existing mortgage that originated before the period of the servicemember’s military service, such covered refinancing mortgage shall be

deemed to be an obligation that originated before the period of the servicemember’s military service and for which the servicemember is still obligated for purposes of section 303(a)(1).

“(c) DEFINITIONS.—In this section:

“(1) EXISTING MORTGAGE.—The term ‘existing mortgage’ means a mortgage that is secured by a 1- to 4-family residence, including a condominium or a share in a cooperative ownership housing association, that was the principal residence of a servicemember for a period that—

“(A) had a duration of 13 consecutive months or longer; and

“(B) ended upon the relocation of the servicemember caused by the servicemember receiving military orders for a permanent change of station or to deploy with a military unit, or as an individual in support of a military operation, for a period of not less than 90 days that did not allow the servicemember to continue to occupy such residence as a principal residence.

“(2) COVERED REFINANCING MORTGAGE.—The term ‘covered refinancing mortgage’ means any mortgage—

“(A) that is made for the purpose of paying or prepaying, and extinguishing, the outstanding obligations under an existing mortgage or mortgages; and

“(B) that is secured by the same residence that secured such existing mortgage or mortgages.”.

(b) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 303A the following new item:

“Sec. 303B. Treatment of relocation for active duty for purposes of mortgage refinancing.”.

(c) EFFECTIVE DATE.—Section 303B of the Servicemembers Civil Relief Act, as added by subsection (a), and the amendments made by this section, shall take effect on October 1, 2014.

SEC. 13. REQUIREMENTS FOR LENDING INSTITUTIONS THAT ARE CREDITORS FOR OBLIGATIONS AND LIABILITIES COVERED BY THE SERVICEMEMBERS CIVIL RELIEF ACT.

Section 207 of the Servicemembers Civil Relief Act (50 U.S.C. App. 527) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

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

“(d) LENDING INSTITUTION REQUIREMENTS.—

“(1) COMPLIANCE OFFICERS.—Each lending institution subject to the requirements of this section shall designate an employee of the institution as a compliance officer who is responsible for ensuring the institution’s compliance with this section and for distributing information to servicemembers whose obligations and liabilities are covered by this section.

“(2) TOLL-FREE TELEPHONE NUMBER.—During any fiscal year, a lending institution subject to the requirements of this section that had annual assets for the preceding fiscal year of \$10,000,000,000 or more shall maintain a toll-free telephone number and shall make such telephone number available on the primary Internet website of the institution.”.

SEC. 14. PROTECTION OF CHILD CUSTODY ARRANGEMENTS FOR PARENTS WHO ARE MEMBERS OF THE ARMED FORCES.

(a) CHILD CUSTODY PROTECTION.—Title II of the Servicemembers Civil Relief Act (50 U.S.C. App. 521 et seq.) is amended by adding at the end the following new section:

“SEC. 208. CHILD CUSTODY PROTECTION.

“(a) RESTRICTION ON TEMPORARY CUSTODY ORDER.—If a court renders a temporary order for custodial responsibility for a child based solely on a deployment or anticipated de-

ployment of a parent who is a servicemember, then the court shall require that, upon the return of the servicemember from deployment, the custody order that was in effect immediately preceding the temporary order shall be reinstated, unless the court finds that such a reinstatement is not in the best interest of the child, except that any such finding shall be subject to subsection (b).

“(b) LIMITATION ON CONSIDERATION OF MEMBER’S DEPLOYMENT IN DETERMINATION OF CHILD’S BEST INTEREST.—If a motion or a petition is filed seeking a permanent order to modify the custody of the child of a servicemember, no court may consider the absence of the servicemember by reason of deployment, or the possibility of deployment, as the sole factor in determining the best interest of the child.

“(c) NO FEDERAL JURISDICTION OR RIGHT OF ACTION OR REMOVAL.—Nothing in this section shall create a Federal right of action or otherwise give rise to Federal jurisdiction or create a right of removal.

“(d) PREEMPTION.—In any case where State law applicable to a child custody proceeding involving a temporary order as contemplated in this section provides a higher standard of protection to the rights of the parent who is a deploying servicemember than the rights provided under this section with respect to such temporary order, the appropriate court shall apply the higher State standard.

“(e) DEPLOYMENT DEFINED.—In this section, the term ‘deployment’ means the movement or mobilization of a servicemember to a location for a period of longer than 60 days and not longer than 540 days pursuant to temporary or permanent official orders—

“(1) that are designated as unaccompanied;

“(2) for which dependent travel is not authorized; or

“(3) that otherwise do not permit the movement of family members to that location.”.

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

“208. Child custody protection.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from Maine (Mr. MICHAUD) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add any extraneous material they may have on H.R. 2481, as amended.

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

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2481 represents the collective work of our Economic Opportunity Subcommittee. Provisions of this bill streamline eligibility for veterans’ GI Bill benefits that would ensure that surviving loved ones of servicemembers who die as a result of service have all the educational assistance benefits that they are entitled to and makes improvements to the Servicemembers Civil Relief Act.

I know other Members are here today to speak on provisions of this bill that they have authored, so at this time, I will focus on just a few areas.

Sections 4 and 5 of the bill would establish, within existing resources, a Veterans Economic Opportunity Administration at the Department of Veterans Affairs as an Under Secretary to head the effort. The purpose of creating a parallel administration is to serve alongside VA's Veterans Benefits Administration, the Veterans Health Administration, and the National Cemetery Administration; it is to raise in importance the issues affecting veterans' readjustment to civilian life.

Too often these issues, such as education, job training, and vocational counseling, do not receive the focus that they deserve because they are subsumed within an administration that also has responsibility for disability claims processing. Highlighting and emphasizing the importance of jobs and careers for veterans was an important reason why the Committee on Veterans' Affairs created for itself a separate Economic Opportunity Subcommittee several years ago. These provisions would advance the same model within the Department of Veterans Affairs. It is my hope that the new Under Secretary for Economic Opportunity would be a powerful advocate serving veterans' readjustment interests, whether at school, during TAP transition classes for departing servicemembers, or as a liaison with the Department of Labor's Veterans Employment and Training Service.

The second provision I would like to touch on was authored by the late C.W. Bill Young. It would permit the children of certain severely disabled servicemembers, who die shortly after their military service and who have received a Purple Heart, to be eligible for the Fry Educational Scholarship. The Fry Scholarship provides certain post-9/11 GI Bill benefits for the children of servicemembers, but only those who die on Active Duty.

Chairman Young rightly believed that the kids of those who may have been mortally wounded in service but who died shortly thereafter ought to be eligible for this benefit as well. I am honored to say that section 7 of the bill carries forward Bill's provision and that his memory lives on in our work today in this legislation.

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

Mr. MICHAUD. Mr. Speaker, I rise to support H.R. 2481, as amended, the Veterans Economic Opportunity Act of 2013, and yield myself such time as I may consume.

Mr. Speaker, H.R. 2481, as amended, makes several significant improvements to VA's structure as well as several benefits programs. This bill represents the work of Members, both on and off the Veterans' Affairs Committee, to improve veterans lives. I want to take a few minutes to highlight two of the key provisions of this measure.

Mr. CUMMINGS of Maryland originally introduced H.R. 1842, the Military Family Home Protection Act. Language from this measure is included in H.R. 2481, as amended, and aims to strengthen the Servicemembers Civil Relief Act foreclosure protections for servicemembers and their families during the course of deployment, regardless of when the home was purchased. Military homeowners deserve these protections so they can have peace of mind while they serve. We all have heard the horror stories of families fighting for their homes and, sadly, losing their homes while the family members were in harm's way in Iraq or Afghanistan.

The 5-year extension of the Homeless Veterans' Reintegration Program in this bill is vital to veterans. There are still approximately 62,000 homeless veterans on the streets each night. This program provides services to assist in reintegrating them into meaningful employment in the labor force. The HVRP is the only nationwide program that focuses on assisting homeless veterans by connecting them to employment. If we are to meet the goal of ending homeless veterans by 2015, we need to extend the help that is included in this bill.

I strongly support H.R. 2481, as amended, and I urge my colleagues to do the same.

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

Mr. MILLER of Florida. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. FLORES), the chairman of the Subcommittee on Economic Opportunity.

Mr. FLORES. Mr. Speaker, I rise today in strong support of H.R. 2481, as amended, and I thank Chairman MILLER for allowing me to express my support for this bill today.

This bill contains the original text of the Veterans GI Bill Enrollment Clarification Act of 2013, which I introduced in June, as well as the collective work of the subcommittee that I am honored to chair, the Subcommittee on Economic Opportunity.

I want to thank the ranking member of the Subcommittee on Economic Opportunity, Mr. TAKANO, as well as Chairman MILLER and ranking member of the full committee, Mr. MICHAUD, for bringing this bill to the floor. Finally, I also thank the other members of the committee who authored the provisions that are included in this bill for their thoughtful legislation.

Mr. Speaker, sections 4 and 5, originally authored by Chairman MILLER, would authorize using existing VA resources for the creation of a fourth administration at VA, which will improve oversight over VA's education, vocational rehabilitation, and home loan programs, and the Center for Veterans Enterprise. Too often, these programs are overshadowed by VA's efforts to reduce the disability claims backlog, and I am hopeful that this new fourth administration will streamline oversight

over these important VA programs that will help veterans reach economic success.

Section 6 includes Mr. COOK's bill that would extend the Homeless Veterans Reintegration Program, which provides grant funding for job training services for homeless veterans.

Section 7 includes a bill authored by our late colleague, Mr. Young of Florida. This section would modify the Fry Scholarship program to include the children of certain veterans who die within 31 days of discharge from a service-connected cause. This is an issue that I know Mr. Young was personally passionate about, and I am thankful that we are able to include it in this bill that is being considered today.

Section 8 includes the original text of my bill, H.R. 2481, that would clarify the process to assist veterans in choosing the best GI Bill benefit to meet their unique education needs. I believe that, by making this one small change, we can reduce veterans' wait times and streamline their use of the benefits that they have earned.

Section 9 reflects a bill introduced by Mr. CALVERT and cosponsored by Mr. TAKANO to streamline the reporting of student data by college consortiums.

Section 10 would extend several existing VA loan guarantee funding fees to provide CutGo funding offsets for the costs of the bill.

Sections 11 and 12 contain the provisions of Mr. CUMMINGS' bill to expand several mortgage foreclosure and refinancing-related protections and rights in the Servicemembers Civil Relief Act to surviving spouses and Active Duty members. The section would also clarify refinancing options available for servicemembers, as well as penalties for violations of the SCRA law.

I want to thank Mr. CUMMINGS and his staff for working with us on this section over the past year. I believe these provisions would go a long way in protecting servicemembers and their families.

The final section would amend SCRA to protect child custody agreements of servicemembers while they are deployed. This provision, sponsored by Mr. TURNER, has passed the House multiple times in the last few Congresses, and it is designed to ensure that military service doesn't impact existing child custody agreements unless it is in the best interests of the child.

Once again, I thank all of the Members for their thoughtful contributions to this bill, and I encourage its passage.

Mr. MICHAUD. Mr. Speaker, at this time, I yield 3 minutes to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. Mr. Speaker, I thank the gentleman from Maine, the ranking member of our committee, for yielding time, and I thank Chairman FLORES of the subcommittee for his hard work.

I am pleased to see that the Veterans Economic Opportunity Act of 2013 is receiving a vote today on the floor, as every Member of this distinguished

body has servicemembers in his or her congressional district, and all of us believe that taking care of these heroes, when they complete their service, should be a top priority.

Bipartisanship in this Congress is rare, but Republicans and Democrats all agree that Congress should be making it easier for our servicemembers as they transition back to civilian life.

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The House Veterans' Affairs Committee has a strong track record of being the least partisan committee in Congress, and this very bill is consistent with that record, as it passed in committee unanimously this past September.

I am especially proud that H.R. 331, which I originally introduced with my Republican colleague from California, Representative CALVERT, was included in the final legislation. With Riverside Community College District campuses in both of our congressional districts and with Riverside County having the eighth largest veterans population in the country, I am proud that Representative CALVERT and I joined forces to make it easier for veterans to receive their veterans education benefits.

Our legislation will help decrease education benefit processing times by eliminating unnecessary and duplicative paperwork for individual community colleges that are part of a group, district, or consortium. Specifically, it will allow a multicollege system, such as the Riverside Community College District, to verify a student's class enrollment number with the Department of Veterans Affairs instead of requiring each individual constituent college to do so. Centralizing the reporting for veterans enrollment at multicollege systems will be a great benefit to veterans in the Inland Empire, as unnecessary and duplicative paperwork delays benefits, increases processing times, and increases costs to the Department of Veterans Affairs and multicollege systems, such as the Riverside Community College District.

I am also pleased to see the Military Family Home Protection Act, of which I was a lead cosponsor, included in the final bill. This portion of the legislation will expand foreclosure protections to all servicemembers regardless of when they purchased their home and will stay home foreclosures for servicemembers who are receiving hostile or imminent danger pay. It will also prohibit banks from discriminating against servicemembers, veterans, and surviving spouses who are looking for home loans and mortgages. Finally, it will double civil penalties for mortgage-related violations.

The veterans who so bravely served this country deserve every opportunity for success and every protection possible.

I thank my Republican colleagues from the Veterans' Affairs Committee for pushing this legislation, and I look forward to its passage.

Mr. MILLER of Florida. I yield 2 minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Speaker, I rise in strong support of the Veterans Economic Opportunity Act of 2013.

As our servicemembers return home from war, it is incumbent on all of us and all Americans to ensure that they are receiving the support and opportunities they need to succeed in civilian life. This bill establishes the Economic Opportunity Administration, which would focus its efforts entirely on veteran education, employment, small business, and housing. The bill also contains the text of legislation I introduced earlier this year along with my colleague from California, Representative TAKANO, which is vital to my and his congressional districts.

For community college districts that have multiple colleges as part of the district, the Department of Veterans Affairs requires each campus to certify that their veteran students are enrolled for a specific number of classes before the VA will disburse student benefits. Under current regulations, each of the colleges in the district must write letters to other colleges within the district to verify their classes and meet regulations. For the Riverside Community College District in Riverside, California, this unnecessary paperwork delays benefits to veterans and increases processing times and the costs to college districts as well as the VA.

This bill, which was wrapped into H.R. 2481, corrects that problem by permitting each college in the district to verify and certify veterans for all classes attended within the district rather than just for classes attended at that particular college. H.R. 331 would update the rules, which would mean veterans would receive their benefits sooner, and the VA would have less paperwork to process.

I would like to thank subcommittee Chairman FLORES and his staff, Ranking Member TAKANO, full committee Chairman MILLER, and full committee Ranking Member MICHAUD for their efforts to support our veterans, and specifically for the Veterans Economic Opportunity Act.

Mr. MICHAUD. Mr. Speaker, at this time, I yield 3 minutes to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Speaker, I thank the gentleman for yielding; and I want to thank Chairman MILLER, Congressman FLORES, Ranking Member MICHAUD, Congressman TAKANO, and members of the House Veterans' Affairs Committee for working together in a truly bipartisan way to include provisions in this legislation to extend home foreclosure provisions to our servicemembers, veterans with disabilities, and surviving spouses.

For the last 2 years, I have aggressively investigated illegal foreclosures, inflated fees, and other abuses by banks against our servicemembers, veterans, and their families. In my opin-

ion, no one is more deserving of our help than our servicemembers who have sacrificed so much, who have given their blood, sweat, tears, and sometimes their lives. Yet under current law, certain servicemembers, veterans with disabilities, and surviving spouses are not receiving the critical protections they need and truly deserve. As a result, banks are foreclosing on homes at the very moment when our heroes and their families deserve our support.

As a country, we can and must do better. That is why I introduced H.R. 1842, the Military Family Home Protection Act, which the House Veterans' Affairs Committee included in the bill before us today, and I am most grateful. These commonsense provisions will better protect military families and veterans with disabilities by closing loopholes and providing needed reforms to the Servicemembers Civil Relief Act.

These provisions are supported by the American Legion, Veterans of Foreign Wars, Paralyzed Veterans of America, Disabled American Veterans, Military Officers Association of America, Gold Star Wives of America, and the Iraq and Afghanistan Veterans of America, all of whom have written strong letters of support. This legislation has overwhelming bipartisan support, and I thank every single member of the committee for their continued support.

With Veterans Day approaching, I believe one of the best ways to honor our veterans and those that serve is to help keep a roof over their heads after they have sacrificed so much for our freedom and for our way of life. I ask every Member to support this effort.

Mr. MILLER of Florida. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from Dayton, Ohio (Mr. TURNER), home of the United States Air Force Museum.

Mr. TURNER. Mr. Speaker, I want to thank the chairman for his diligence on a provision of this bill that would protect the custody rights of our servicemembers. I also want to thank the ranking member and the staff of the VA Committee for also being so diligent as to include this provision.

This provision has passed the House five times as part of the National Defense Authorization Act and three times as provisions coming from the VA Committee. It is an essential provision that would provide servicemembers the confidence and protection of the custody arrangements once they are deployed.

Unbelievably, across this Nation, family law court judges have been taking custody away from servicemembers upon their return from deployment, using their time against them in deciding a custody case. There are even cases in our Nation where the family law court judge took custody away based on the potential threat of deployment of servicemembers. I don't think anyone believes that it is in the best

interest of the child for them to believe that there is something wrong with serving your country.

We have a national military that needs a national standard. Men and women who are serving need to know what standard is going to be applied. Many of these cases have multiple State provisions. This does not provide Federal jurisdiction for custody cases. It retains the State's authority on this, but merely provides a minimum standard upon which servicemembers can rely that says that their custody decisions will not be based solely upon the issue of their past or future deployment. This is the minimum that we could do for our servicemembers.

This arises in part out of the case of Eva Slusher, who was a Kentucky National Guard member. Her daughter, Sara, she had raised for 6 years alone after divorce. Upon returning from deployment, the court awarded her ex-husband custody. She fought for 2 years and spent \$25,000 to get her daughter back. She should be the type of servicemember who knows that there is a standard so that when she returns, that her time away will not be used against her.

This is important also so that servicemembers, when they are making arrangements upon departure, do not have the anxiety, when they are deployed, that when they return they might not get their families back.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MILLER of Florida. I yield the gentleman an additional 30 seconds.

Mr. TURNER. Eva Slusher famously said that, under the Servicemembers Civil Relief Act, she is required to get her job back when she returns. She believes that, under that act, she should also be able to get her child back.

Mr. MICHAUD. Mr. Speaker, once again, I would like to thank Chairman MILLER for bringing this bill to the floor, as well as Chairman FLORES and Ranking Member TAKANO of the Subcommittee on Economic Opportunity for their work on this particular bill, and I would encourage my colleagues on both sides of the aisle to support it unanimously.

With that, I yield back the balance of my time.

Mr. MILLER of Florida. Again, Mr. Speaker, I want to thank all the members of our committee for their bipartisan efforts in bringing this piece of legislation to the floor.

I would ask all Members here to support this as we go forward with a vote to pass H.R. 2481, as amended.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 2481, as amended.

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

The title of the bill was amended so as to read: "A bill to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to benefits, and for other purposes."

A motion to reconsider was laid on the table.

DENIAL OF BENEFIT REQUIREMENT

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1405) to amend title 38, United States Code, to require the Secretary of Veterans Affairs to include an appeals form in any notice of decision issued for the denial of a benefit sought, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1405

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

SECTION 1. INCLUSION OF APPEALS FORMS IN NOTICES OF DECISIONS OF BENEFITS DENIALS ISSUED BY THE SECRETARY OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 5104(b) of title 38, United States Code, is amended—

(1) by striking "and (2)" and inserting "(2)"; and

(2) by inserting before the period at the end the following: ", and (3) a form that may be used to file an appeal of the decision".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to decisions made by the Secretary under section 511 of title 38, United States Code, on or after the date of the enactment of this Act.

SECTION 1. INCLUSION OF NOTICE OF DISAGREEMENT FORMS IN NOTICES OF DECISIONS OF BENEFITS DENIALS ISSUED BY SECRETARY OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 5104(b) of title 38, United States Code, is amended—

(1) by striking "and (2)" and inserting "(2)"; and

(2) by inserting before the period at the end the following: ", and (3) a form that may be used to file a notice of disagreement to the decision".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to decisions made by the Secretary under section 511 of title 38, United States Code, on or after the date of the enactment of this Act.

SEC. 2. PROVISION OF STATUS UNDER LAW BY HONORING CERTAIN MEMBERS OF THE RESERVE COMPONENTS AS VETERANS.

(a) VETERAN STATUS.—

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

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

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

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

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

(b) CLARIFICATION REGARDING BENEFITS.—No person may receive any benefit under the laws administered by the Secretary of Veterans Affairs solely by reason of section 107A of title 38, United States Code, as added by subsection (a).

SEC. 3. PROVISION OF ACCESS TO CASE-TRACKING INFORMATION.

(a) IN GENERAL.—Chapter 59 of title 38, United States Code, is amended by adding at the end the following:

"§ 5906. Provision of access to case-tracking information

"(a) IN GENERAL.—(1) In accordance with subsection (b), the Secretary shall provide a covered employee with access to the case-tracking system to provide a veteran with information regarding the status of a claim submitted by such veteran if such employee is acting under written permission or a power of attorney executed by such veteran.

"(2) In providing a covered employee with access to the case-tracking system under paragraph (1), the Secretary shall ensure—

"(A) that such access—

"(i) is provided in a manner that does not allow such employee to modify the data contained in such system; and

"(ii) does not include access to medical records; and

"(B) that each time a covered employee accesses such system, the employee must certify that such access is for official purposes only.

"(b) PRIVACY CERTIFICATION COURSE.—The Secretary may not provide a covered employee with access to the case-tracking system under subsection (a)(1) unless the covered employee has successfully completed a certification course on privacy issues provided by the Secretary.

"(c) TREATMENT OF DISCLOSURE.—The access to information by a covered employee pursuant to subsection (a)(1) shall be deemed to be—

"(1) a covered disclosure under section 552a(b) of title 5; and

"(2) a permitted disclosure under regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d-2 note).

"(d) DEFINITIONS.—In this section:

"(1) The term 'case-tracking system' means the system of the Department of Veterans Affairs that provides information regarding the status of a claim submitted by a veteran.

"(2) The term 'covered employee' means an employee of a State or local governmental agency (including a veterans service officer) who, in the course of carrying out the responsibilities of such employment, assists veterans with claims for any benefit under the laws administered by the Secretary."

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

"5906. Provision of access to case-tracking information."

SEC. 4. IMPROVEMENT OF FIDUCIARIES FOR VETERANS.

(a) APPOINTMENT AND SUPERVISION.—

(1) Section 5502 of title 38, United States Code, is amended to read as follows:

"§ 5502. Appointment of fiduciaries

"(a) APPOINTMENT.—(1) Where it appears to the Secretary that the interest of the beneficiary would be served thereby, payment of benefits under any law administered by the Secretary may be made directly to the beneficiary or to a relative or some other fiduciary for the use and benefit of the beneficiary, regardless of any legal disability on the part of the beneficiary.