

112TH CONGRESS
1ST SESSION

H. R. 2433

IN THE SENATE OF THE UNITED STATES

OCTOBER 13, 2011

Received; read twice and referred to the Committee on Veterans' Affairs

AN ACT

To amend title 38, United States Code, to make certain improvements in the laws relating to the employment and training of veterans, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Veterans Opportunity to Work Act of 2011”.

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

Sec. 1. Short title; table of contents.

TITLE I—RETRAINING VETERANS

Sec. 101. Veterans retraining assistance program.

TITLE II—IMPROVING THE TRANSITION ASSISTANCE PROGRAM

Sec. 201. Transition Assistance Program contracting.

Sec. 202. Mandatory participation in Transition Assistance Program.

Sec. 203. Report on Transition Assistance Program.

Sec. 204. Transition Assistance Program outcomes.

Sec. 205. Comptroller General review.

TITLE III—IMPROVING THE TRANSITION OF VETERANS TO
CIVILIAN EMPLOYMENT

Sec. 301. Reauthorization and improvement of demonstration project on
credentialing and licensure of veterans.

Sec. 302. Inclusion of performance measures in annual report on veteran job
counseling, training, and placement programs of the Depart-
ment of Labor.

Sec. 303. Clarification of priority of service for veterans in Department of
Labor job training programs.

Sec. 304. Evaluation of individuals receiving training at the National Veterans’
Employment and Training Services Institute.

Sec. 305. Requirements for full-time disabled veterans’ outreach program spe-
cialists and local veterans’ employment representatives.

Sec. 306. Report on findings of the Department of Defense and Department of
Labor credentialing work group.

TITLE IV—IMPROVEMENTS TO UNIFORMED SERVICES
EMPLOYMENT AND REEMPLOYMENT RIGHTS

Sec. 401. Clarification of benefits of employment covered under USERRA.

TITLE V—OTHER MATTERS

Sec. 501. Extension of certain expiring provisions of law.

Sec. 502. Department of Veterans Affairs housing loan guarantees for surviving
spouses of certain totally disabled veterans.

Sec. 503. Reimbursement rate for ambulance services.

Sec. 504. Annual reports on Post-9/11 Educational Assistance Program and
Survivors’ and Dependents’ Educational Assistance Program.

Sec. 505. Limitation on amount authorized to be appropriated for employee
travel, printing, and fleet vehicles.

Sec. 506. Extension of reduced pension for certain veterans covered by Medicaid plans for services furnished by nursing facilities.

Sec. 507. Statutory Pay-As-You-Go Act of 2010.

1 **TITLE I—RETRAINING**
2 **VETERANS**

3 **SEC. 101. VETERANS RETRAINING ASSISTANCE PROGRAM.**

4 (a) PROGRAM AUTHORIZED.—

5 (1) IN GENERAL.—In accordance with this sec-
6 tion, during the period beginning on June 1, 2012,
7 and ending on March 31, 2014, the Secretary of
8 Labor shall provide for monthly payments of retrain-
9 ing assistance to eligible veterans. Payments of re-
10 training assistance under this section shall be made
11 by the Secretary of Labor through the Secretary of
12 Veterans Affairs.

13 (2) NUMBER OF ELIGIBLE VETERANS.—The
14 number of eligible veterans who participate in the
15 program may not exceed—

16 (A) 45,000 during fiscal year 2012; and

17 (B) 55,000 during the period beginning
18 October 1, 2012, and ending March 31, 2014.

19 (b) RETRAINING ASSISTANCE.—Except as provided
20 by subsection (i), each veteran who participates in the pro-
21 gram established under subsection (a)(1) shall be entitled
22 to up to 12 months of retraining assistance, as determined
23 by the Secretary of Labor. Such retraining assistance may
24 only be used by the veteran to pursue a program of edu-

1 cation (as such term is defined in section 3452(b) of title
2 38, United States Code) or training on a full-time basis
3 that—

4 (1) is approved under chapter 36 of such title;

5 (2) is offered by a community college or tech-
6 nical school;

7 (3) leads to an associates degree or a certificate
8 (or other similar evidence of the completion of the
9 program of education or training); and

10 (4) is designed to provide training for a high-
11 demand occupation, as determined by the Secretary
12 of Labor.

13 (c) MONTHLY CERTIFICATION.—Each veteran who
14 participates in the program established under subsection
15 (a)(1) shall certify to the Secretary of Veterans Affairs
16 the enrollment of the veteran in a program of education
17 described in subsection (b) for each month in which the
18 veteran participates in the program.

19 (d) AMOUNT OF ASSISTANCE.—The monthly amount
20 of the retraining assistance payable under this section is
21 the amount in effect under section 3015(a)(1) of title 38,
22 United States Code.

23 (e) ELIGIBILITY.—For purposes of this section, an
24 eligible veteran is a veteran who—

1 (1) is at least 35 years of age but not more
2 than 60 years of age;

3 (2) was last discharged from active duty service
4 in the Armed Forces with an honorable discharge;

5 (3) as of the date of the submittal of the appli-
6 cation for assistance under this section, has been un-
7 employed for a period of time determined by the
8 Secretary, with special consideration given to vet-
9 erans who have been unemployed for at least 26 con-
10 tinuous weeks;

11 (4) is not eligible to apply for educational as-
12 sistance under chapter 30, 31, 33, or 35 of title 38,
13 United States Code; and

14 (5) by not later than October 1, 2013, submits
15 to the Secretary of Labor an application containing
16 such information and assurances as the Secretary
17 may require.

18 (f) REPORT.—Not later than July 1, 2014, the Sec-
19 retary of Labor and the Secretary of Veterans Affairs
20 shall jointly submit to the Committees on Veterans' Af-
21 fairs of the Senate and the House of Representatives a
22 report on the retraining assistance provided under this
23 section, including—

24 (1) the total number of—

25 (A) eligible veterans who participated;

1 (B) credit hours completed; and

2 (C) associates degrees or certificates
3 awarded (or other similar evidence of the com-
4 pletion of the program of education or training
5 earned); and

6 (2) data related to the employment status of el-
7 igible veterans who participated.

8 (g) JOINT AGREEMENT.—The Secretary of Labor
9 and the Secretary of Veterans Affairs shall enter into an
10 agreement on carrying out this section.

11 (h) SOURCE OF FUNDS.—Payments under this sec-
12 tion shall be made from amounts appropriated to the read-
13 justment benefits account of the Department of Veterans
14 Affairs.

15 (i) TERMINATION OF AUTHORITY.—The authority to
16 make payments under this section shall terminate on
17 March 31, 2014.

18 **TITLE II—IMPROVING THE**
19 **TRANSITION ASSISTANCE**
20 **PROGRAM**

21 **SEC. 201. TRANSITION ASSISTANCE PROGRAM CON-**
22 **TRACTING.**

23 (a) TRANSITION ASSISTANCE PROGRAM CON-
24 TRACTING.—

1 (1) IN GENERAL.—Section 4113 of title 38,
2 United States Code, is amended to read as follows:

3 **“§ 4113. Transition Assistance Program personnel**

4 “(a) AUTHORITY TO CONTRACT.—In accordance
5 with section 1144 of title 10, the Secretary shall enter into
6 a contract with an appropriate private entity or entities
7 to provide the functions described in subsection (b) at all
8 locations where the program described in such section is
9 carried out.

10 “(b) FUNCTIONS.—Contractors under subsection (a)
11 shall provide to members of the Armed Forces who are
12 being separated from active duty (and the spouses of such
13 members) the services described in section 1144(a)(1) of
14 title 10, including—

15 “(1) counseling;

16 “(2) assistance in identifying employment and
17 training opportunities and help in obtaining such
18 employment and training;

19 “(3) other related information and services
20 under such section; and

21 “(4) any other services that the Secretary de-
22 termines are appropriate.”.

23 (2) CLERICAL AMENDMENT.—The table of sec-
24 tions at the beginning of chapter 41 of title 38,
25 United States Code, is amended by striking the item

1 relating to section 4113 and inserting the following
2 new item:

“4113. Transition Assistance Program personnel.”.

3 (b) DEADLINE FOR IMPLEMENTATION.—The Sec-
4 retary of Labor shall enter into the contract required by
5 section 4113 of title 38, United States Code, as added by
6 subsection (a), by not later than 24 months after the date
7 of the enactment of this Act.

8 **SEC. 202. MANDATORY PARTICIPATION IN TRANSITION AS-**
9 **SISTANCE PROGRAM.**

10 Section 1144(c) of title 10, United States Code, is
11 amended by striking “shall encourage” and all that follows
12 and inserting “shall encourage the participation of mem-
13 bers of the armed forces in pay grades E–8 and above
14 and O–6 and above who are eligible for assistance under
15 the program and shall require the participation of all other
16 members of the armed forces who are eligible for assist-
17 ance under the program unless a documented urgent oper-
18 ational requirement prevents attendance or an individual
19 service member, with written approval of their com-
20 mander, chooses to decline participation, in writing, based
21 on post-service employment or acceptance to an education
22 program. Such documentation shall be included in the per-
23 sonnel record of the member.”.

1 **SEC. 203. REPORT ON TRANSITION ASSISTANCE PROGRAM.**

2 Section 1144 of title 10, United States Code, is
3 amended by adding at the end the following new sub-
4 section:

5 “(e) **REPORTS AND AUDITS.**—(1) Not later than Jan-
6 uary 30 of each year, the Secretary of Labor shall submit
7 to the Committees on Veterans’ Affairs of the Senate and
8 House of Representatives a report on the program estab-
9 lished under this section that includes the number of mem-
10 bers of the armed forces eligible for assistance under the
11 program who participated in the program within 30, 90,
12 and 180 days of being separated from active duty, and
13 the percentages of all such eligible participants who par-
14 ticipated within each such time period.

15 “(2)(A) The Secretary of Labor shall enter into a
16 contract with an appropriate entity to conduct an audit
17 of the program established under this section not less fre-
18 quently than once every three years and to submit to the
19 Secretary of Defense, the Secretary of Labor, the Sec-
20 retary of Veterans Affairs, and the Committees on Vet-
21 erans’ Affairs of the Senate and House of Representatives
22 a report containing the results of each such audit.

23 “(B)(i) Except as provided in clause (ii), the Sec-
24 retary of Labor shall enter into the contract under sub-
25 paragraph (A) with an appropriate entity that is a small
26 business concern owned and controlled by veterans or a

1 small business concern owned and controlled by service-
2 disabled veterans and that is included in the database of
3 veteran-owned businesses maintained under subsection (f)
4 of section 8127 of title 38 and verified by the Secretary
5 pursuant to paragraph (4) of that subsection.

6 “(ii) If the Secretary of Labor is unable to enter into
7 the contract under subparagraph (A) with a qualified busi-
8 ness concern described in clause (i), the Secretary shall
9 enter into such contract with another qualified appropriate
10 entity.

11 “(C) The Secretary of Labor shall enter into the con-
12 tract under this paragraph using funds made available for
13 the State grant program authorized under section 4102A
14 of title 38.”.

15 **SEC. 204. TRANSITION ASSISTANCE PROGRAM OUTCOMES.**

16 Section 1144 of title 10, United States Code, as
17 amended by section 202 and 203, is further amended by
18 adding at the end the following new subsection:

19 “(f) PROGRAM OUTCOMES.—The Secretary of Labor
20 shall develop a method to assess the outcomes for individ-
21 uals who participate in the program established under this
22 section. The Secretary of Defense shall provide to the Sec-
23 retary of Labor any data on participation in the program
24 that is necessary for the Secretary of Labor to develop

1 such method. Such method shall be designed to determine
2 the following outcomes:

3 “(1) The length of the period during which the
4 individual was unemployed following the individual’s
5 separation from active duty.

6 “(2) The beginning salary paid to the individual
7 for the first job the individual obtained following
8 such separation.

9 “(3) The number of months of school or other
10 training the individual attended during the first 12-
11 month period following such separation.”.

12 **SEC. 205. COMPTROLLER GENERAL REVIEW.**

13 Not later than one year after the date of the enact-
14 ment of this Act, the Comptroller General of the United
15 States shall conduct a review of the Transition Assistance
16 Program under section 1144 of title 10, United States
17 Code, and submit to Congress a report on the results of
18 the review and any recommendations of the Comptroller
19 General for improving the program.

1 **TITLE III—IMPROVING THE**
2 **TRANSITION OF VETERANS**
3 **TO CIVILIAN EMPLOYMENT**

4 **SEC. 301. REAUTHORIZATION AND IMPROVEMENT OF DEM-**
5 **ONSTRATION PROJECT ON CREDENTIALING**
6 **AND LICENSURE OF VETERANS.**

7 Section 4114 of title 38, United States Code, is
8 amended—

9 (1) in subsection (b)—

10 (A) in paragraph (1), by striking “not less
11 than 10” and inserting “not less than 5 but not
12 more than 10”; and

13 (B) in paragraph (2), by striking “consult
14 with appropriate Federal, State, and industry
15 officials” and inserting “enter into a contract
16 with an appropriate entity representing a coali-
17 tion of State governors”;

18 (2) in subsection (g)—

19 (A) by striking “Veterans Benefits, Health
20 Care, and Information Technology Act of
21 2006” and inserting the “Veterans Opportunity
22 to Work Act of 2011”; and

23 (B) by striking “September 30, 2009” and
24 inserting “September 30, 2014”;

25 (3) in subsection (h)—

1 (A) by striking “utilizing unobligated
2 funds” and inserting “using not more than
3 \$180,000 of the funds in each fiscal year”; and

4 (B) by inserting before the period at the
5 end the following: “, to be derived from
6 amounts otherwise made available to carry out
7 sections 4103A and 4104 of this title”; and

8 (4) by adding at the end the following new sub-
9 section:

10 “(i) REPORT TO CONGRESS.—Not later than 30 days
11 after the last day of a fiscal year during which the dem-
12 onstration project under this section is carried out, the
13 Assistant Secretary, in coordination with the entity with
14 which the Assistant Secretary enters into a contract under
15 subsection (b)(2), shall submit to the Committees on Vet-
16 erans’ Affairs of the Senate and House of Representatives
17 a report on the implementation of the demonstration
18 project during that fiscal year.”.

19 **SEC. 302. INCLUSION OF PERFORMANCE MEASURES IN AN-**
20 **NUAL REPORT ON VETERAN JOB COUN-**
21 **SELING, TRAINING, AND PLACEMENT PRO-**
22 **GRAMS OF THE DEPARTMENT OF LABOR.**

23 Section 4107(c) of title 38, United States Code, is
24 amended—

1 (1) in paragraph (2), by striking “clause (1)”
2 and inserting “paragraph (1)”;

3 (2) in paragraph (5), by striking “and” at the
4 end;

5 (3) in paragraph (6), by striking the period and
6 inserting “; and”; and

7 (4) by adding at the end the following new
8 paragraphs:

9 “(7) performance measures for the provision of
10 assistance under this chapter, including—

11 “(A) the percentage of participants in pro-
12 grams under this chapter who are employed
13 after the 180-day period following their comple-
14 tion of the program;

15 “(B) the percentage of such participants
16 who are employed after the one-year period fol-
17 lowing their completion of the program;

18 “(C) the median earnings of such partici-
19 pants after the 180-day period following their
20 completion of the program;

21 “(D) the median earnings of such partici-
22 pants after the one-year period following their
23 completion of the program; and

24 “(E) the percentage of participants in such
25 program who complete a certificate, degree, di-

1 ploma, licensure, or industry-recognized creden-
2 tial while they are participating in the program
3 or within one year of completing the program.”.

4 **SEC. 303. CLARIFICATION OF PRIORITY OF SERVICE FOR**
5 **VETERANS IN DEPARTMENT OF LABOR JOB**
6 **TRAINING PROGRAMS.**

7 Section 4215 of title 38, United States Code, is
8 amended—

9 (1) in subsection (a)(3), by adding at the end
10 the following: “Such priority includes giving access
11 to such services to a covered person before a non-
12 covered person or, if resources are limited, giving ac-
13 cess to such services to a covered person instead of
14 a non-covered person.”; and

15 (2) by amending subsection (d) to read as fol-
16 lows:

17 “(d) ADDITION TO ANNUAL REPORT.—(1) In the an-
18 nual report required under section 4107(e) of this title for
19 the program year beginning in 2003 and each subsequent
20 program year, the Secretary of Labor shall evaluate
21 whether covered persons are receiving priority of service
22 and are being fully served by qualified job training pro-
23 grams. Such evaluation shall include—

24 “(A) an analysis of the implementation of pro-
25 viding such priority at the local level;

1 evaluation shall be designed to provide the individual with
2 a grade, which shall be designated as either a passing
3 grade or a failing grade. The results of such final examina-
4 tion shall be provided to the entity that sponsored the indi-
5 vidual who received the training.”.

6 (b) EFFECTIVE DATE.—Subsection (d) of section
7 4109 of title 38, United States Code, shall apply with re-
8 spect to training provided by the National Veterans’ Em-
9 ployment and Training Services Institute that begins on
10 or after the date of the enactment of this Act.

11 **SEC. 305. REQUIREMENTS FOR FULL-TIME DISABLED VET-**
12 **ERANS’ OUTREACH PROGRAM SPECIALISTS**
13 **AND LOCAL VETERANS’ EMPLOYMENT REP-**
14 **RESENTATIVES.**

15 (a) DISABLED VETERANS’ OUTREACH PROGRAM
16 SPECIALISTS.—Section 4103A of title 38, United States
17 Code, is amended by adding at the end the following new
18 subsection:

19 “(d) ADDITIONAL REQUIREMENT FOR FULL-TIME
20 EMPLOYEES.—(1) A full-time disabled veterans’ outreach
21 program specialist shall perform only duties related to
22 meeting the employment needs of eligible veterans, as de-
23 scribed in subsection (a), and shall not perform other non-
24 veteran-related duties.

1 “(2) The Secretary shall conduct regular audits to
2 ensure compliance with paragraph (1). If, on the basis of
3 such an audit, the Secretary determines that a State is
4 not in compliance with paragraph (1), the Secretary may
5 reduce the amount of a grant made to the State under
6 section 4102A(b)(5) of this title.”.

7 (b) LOCAL VETERANS’ EMPLOYMENT REPRESENTA-
8 TIVES.—Section 4104 of such title is amended—

9 (1) by redesignating subsection (e) as sub-
10 section (f); and

11 (2) by inserting after subsection (d) the fol-
12 lowing new subsection (e):

13 “(e) ADDITIONAL REQUIREMENTS FOR FULL-TIME
14 EMPLOYEES.—(1) A full-time local veterans’ employment
15 representative shall perform only duties related to the em-
16 ployment, training, and placement services under this
17 chapter, and shall not perform other non-veteran-related
18 duties.

19 “(2) The Secretary shall conduct regular audits to
20 ensure compliance with paragraph (1). If, on the basis of
21 such an audit, the Secretary determines that a State is
22 not in compliance with paragraph (1), the Secretary may
23 reduce the amount of a grant made to the State under
24 section 4102A(b)(5) of this title.”.

1 **SEC. 306. REPORT ON FINDINGS OF THE DEPARTMENT OF**
2 **DEFENSE AND DEPARTMENT OF LABOR**
3 **CREDENTIALING WORK GROUP.**

4 (a) IN GENERAL.—The Secretary of Defense and the
5 Secretary of Labor shall jointly enter into a contract with
6 a qualified organization or entity jointly selected by the
7 Secretaries to complete the study of 10 military occupa-
8 tional specialties already begun by the joint Department
9 of Defense and Department of Labor Credentialing Work
10 Group to reduce barriers to certification and licensure for
11 transitioning members of the Armed Forces and veterans.
12 This study shall also include an examination of current
13 initiatives, programs, and authority already established
14 within the Department of Defense and the military serv-
15 ices to promote credentialing of members of the Armed
16 Forces and identify best practices that can be leveraged
17 by all services to increase the transferability of military
18 education, training, experience, and skills.

19 (b) REPORT.—The contract described in subsection
20 (a) shall provide that upon completion of the study de-
21 scribed in such subsection, the organization or entity with
22 which the Secretary of Defense and the Secretary of Labor
23 entered into the contract shall submit to the Secretary of
24 Defense and the Secretary of Labor a report setting forth
25 the results of the study. The report shall include—

1 (1) a plan for leveraging existing successful ini-
2 tiatives, programs, and authority to promote the
3 credentialing of all members of the Armed Forces;
4 and

5 (2) such information as the Secretaries shall
6 specify in the contract.

7 (c) SUBMITTAL TO CONGRESS.—Not later than
8 March 31, 2012, the Secretary of Defense and the Sec-
9 retary of Labor shall jointly submit to Congress a report
10 on the results of the study described in subsection (a),
11 together with such comments on the report as the Secre-
12 taries jointly consider appropriate.

13 **TITLE IV—IMPROVEMENTS TO**
14 **UNIFORMED SERVICES EM-**
15 **PLOYMENT AND REEMPLOY-**
16 **MENT RIGHTS**

17 **SEC. 401. CLARIFICATION OF BENEFITS OF EMPLOYMENT**
18 **COVERED UNDER USERRA.**

19 Section 4303(2) of title 38, United States Code, is
20 amended by inserting “the terms, conditions, or privileges
21 of employment, including” after “means”.

1 **TITLE V—OTHER MATTERS**

2 **SEC. 501. EXTENSION OF CERTAIN EXPIRING PROVISIONS**
3 **OF LAW.**

4 (a) ADJUSTABLE RATE MORTGAGES.—Section
5 3707(a) of such title is amended by striking “2012” and
6 inserting “2014”.

7 (b) HYBRID ADJUSTABLE RATE MORTGAGES.—Sec-
8 tion 3707A(a) of such title is amended by striking “2012”
9 and inserting “2014”.

10 (c) POOL OF MORTGAGE LOANS.—Section
11 3720(h)(2) of title 38, United States Code, is amended
12 by striking “December 31, 2011” and inserting “Decem-
13 ber 31, 2016”.

14 (d) LOAN FEES.—

15 (1) EXTENSION OF FEES.—Section 3729(b)(2)
16 of such title is amended—

17 (A) in subparagraph (A)—

18 (i) in clause (iii), by striking “Novem-
19 ber 18, 2011” and inserting “October 1,
20 2017”; and

21 (ii) in clause (iv), by striking “Novem-
22 ber 18, 2011” and inserting “October 1,
23 2017”;

24 (B) in subparagraph (B)—

1 (i) in clause (i), by striking “Novem-
2 ber 18, 2011” and inserting “October 1,
3 2017”;

4 (ii) by striking clauses (ii) and (iii)
5 and redesignating clause (iv) as clause (ii);
6 and

7 (iii) in clause (ii), as so redesignated,
8 by striking “October 1, 2013” and insert-
9 ing “October 1, 2017”;

10 (C) in subparagraph (C)—

11 (i) in clause (i), by striking “Novem-
12 ber 18, 2011” and inserting “October 1,
13 2017”; and

14 (ii) in clause (ii), by striking “Novem-
15 ber 18, 2011” and inserting “October 1,
16 2017”; and

17 (D) in subparagraph (D)—

18 (i) in clause (i), by striking “Novem-
19 ber 18, 2011” and inserting “October 1,
20 2017”; and

21 (ii) in clause (ii), by striking “Novem-
22 ber 18, 2011” and inserting “October 1,
23 2017”.

24 (2) EFFECTIVE DATE.—The amendments made
25 by paragraph (1) shall take effect on the later of—

1 (A) October 1, 2011; or

2 (B) the date of the enactment of this Act.

3 (e) TEMPORARY ADJUSTMENT OF MAXIMUM HOME
4 LOAN GUARANTY AMOUNT.—Section 501 of the Veterans
5 Benefits Improvement Act of 2008 (Public Law 110–389;
6 122 Stat. 4175; 38 U.S.C. 3703 note) is amended by
7 striking “December 31, 2011” and inserting “December
8 31, 2014”.

9 **SEC. 502. DEPARTMENT OF VETERANS AFFAIRS HOUSING**
10 **LOAN GUARANTEES FOR SURVIVING**
11 **SPOUSES OF CERTAIN TOTALLY DISABLED**
12 **VETERANS.**

13 (a) IN GENERAL.—Section 3701(b) of title 38,
14 United States Code, is amended by adding at the end the
15 following new paragraph:

16 “(6) The term ‘veteran’ also includes, for pur-
17 poses of home loans, the surviving spouse of a de-
18 ceased veteran who dies and who was in receipt of
19 or entitled to receive (or but for the receipt of re-
20 tired or retirement pay was entitled to receive) com-
21 pensation at the time of death for a service-con-
22 nected disability rated totally disabling if—

23 “(A) the disability was continuously rated
24 totally disabling for a period of 10 or more
25 years immediately preceding death;

1 “(C) In the case of transportation of a person under
2 subparagraph (B) by ambulance, the Secretary may pay
3 the provider of the transportation the lesser of the actual
4 charge for the transportation or the amount determined
5 by the fee schedule established under section 1834(l) of
6 the Social Security Act (42 U.S.C. 1395(l)) unless the
7 Secretary has entered into a contract for that transpor-
8 tation with the provider.”.

9 **SEC. 504. ANNUAL REPORTS ON POST-9/11 EDUCATIONAL**
10 **ASSISTANCE PROGRAM AND SURVIVORS’ AND**
11 **DEPENDENTS’ EDUCATIONAL ASSISTANCE**
12 **PROGRAM.**

13 (a) REPORTS REQUIRED.—

14 (1) IN GENERAL.—Subchapter III of chapter
15 33 of title 38, United States Code, is amended by
16 adding at the end the following new section:

17 **“§ 3325. Reporting requirement**

18 “(a) IN GENERAL.—For each academic year—

19 “(1) the Secretary of Defense shall submit to
20 Congress a report on the operation of the program
21 provided for in this chapter; and

22 “(2) the Secretary shall submit to Congress a
23 report on the operation of the program provided for
24 in this chapter and the program provided for under
25 chapter 35 of this title.

1 “(b) CONTENTS OF SECRETARY OF DEFENSE RE-
2 PORTS.—The Secretary of Defense shall include in each
3 report submitted under this section—

4 “(1) information indicating—

5 “(A) the extent to which the benefit levels
6 provided under this chapter are adequate to
7 achieve the purposes of inducing individuals to
8 enter and remain in the Armed Forces and of
9 providing an adequate level of financial assist-
10 ance to help meet the cost of pursuing a pro-
11 gram of education;

12 “(B) whether it is necessary for the pur-
13 poses of maintaining adequate levels of well-
14 qualified active-duty personnel in the Armed
15 Forces to continue to offer the opportunity for
16 educational assistance under this chapter to in-
17 dividuals who have not yet entered active-duty
18 service; and

19 “(C) describing the efforts under section
20 3323(b) of this title to inform members of the
21 Armed Forces of the active duty service require-
22 ments for entitlement to educational assistance
23 benefits under this chapter and the results from
24 such efforts; and

1 “(2) such recommendations for administrative
2 and legislative changes regarding the provision of
3 educational assistance to members of the Armed
4 Forces and veterans, and their dependents, as the
5 Secretary of Defense considers appropriate.

6 “(c) CONTENTS OF SECRETARY OF VETERANS AF-
7 FAIRS REPORTS.—The Secretary shall include in each re-
8 port submitted under this section—

9 “(1) information concerning the level of utiliza-
10 tion of educational assistance and of expenditures
11 under this chapter and under chapter 35 of this
12 title;

13 “(2) the number of credit hours, certificates,
14 degrees, and other qualifications earned by bene-
15 ficiaries under this chapter and under chapter 35 of
16 this title during the academic year covered by the re-
17 port; and

18 “(3) such recommendations for administrative
19 and legislative changes regarding the provision of
20 educational assistance to members of the Armed
21 Forces and veterans, and their dependents, as the
22 Secretary considers appropriate.

23 “(d) TERMINATION.—No report shall be required
24 under this section after January 1, 2021.”.

1 (2) CLERICAL AMENDMENT.—The table of sec-
 2 tions at the beginning of such chapter is amended
 3 by inserting after the item relating to section 3324
 4 the following new item:

“3325. Reporting requirement.”.

5 (3) DEADLINE FOR SUBMITTAL OF FIRST RE-
 6 PORT.—The first reports required under section
 7 3325 of title 38, United States Code, as added by
 8 paragraph (1), shall be submitted by not later than
 9 November 1, 2012, and shall cover the 2011-2012
 10 academic year.

11 (b) REPEAL OF REPORT ON ALL VOLUNTEER-FORCE
 12 EDUCATIONAL ASSISTANCE PROGRAM.—

13 (1) IN GENERAL.—Chapter 30 of such title is
 14 amended by striking section 3036.

15 (2) CLERICAL AMENDMENT.—The table of sec-
 16 tions at the beginning of such chapter is amended
 17 by striking the item relating to section 3036.

18 **SEC. 505. LIMITATION ON AMOUNT AUTHORIZED TO BE AP-**
 19 **PROPRIATED FOR EMPLOYEE TRAVEL,**
 20 **PRINTING, AND FLEET VEHICLES.**

21 The amount authorized to be appropriated for the
 22 Department of Veterans Affairs for employee travel, print-
 23 ing, and fleet vehicles for fiscal year 2012 shall not exceed
 24 \$385,000,000.

1 **SEC. 506. EXTENSION OF REDUCED PENSION FOR CERTAIN**
2 **VETERANS COVERED BY MEDICAID PLANS**
3 **FOR SERVICES FURNISHED BY NURSING FA-**
4 **CILITIES.**

5 Section 5503(d)(7) of title 38, United States Code,
6 is amended by striking “May 31, 2015” and inserting
7 “May 31, 2016”.

8 **SEC. 507. STATUTORY PAY-AS-YOU-GO ACT OF 2010.**

9 The budgetary effects of this Act, for the purpose of
10 complying with the Statutory Pay-As-You-Go Act of 2010,
11 shall be determined by reference to the latest statement
12 titled “Budgetary Effects of PAYGO Legislation” for this
13 Act, submitted for printing in the Congressional Record
14 by the Chairman of the House Budget Committee, pro-
15 vided that such statement has been submitted prior to the
16 vote on passage.

Passed the House of Representatives October 12,
2011.

Attest:

KAREN L. HAAS,

Clerk.