

***In the Senate of the United States,***

*July 18, 2012.*

*Resolved*, That the bill from the House of Representatives (H.R. 1627) entitled “An Act to amend title 38, United States Code, to provide for certain requirements for the placement of monuments in Arlington National Cemetery, and for other purposes.”, do pass with the following

**AMENDMENTS:**

Strike all after the enacting clause and insert the following:

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

2       (a) *SHORT TITLE.*—*This Act may be cited as the*  
3 *“Honoring America’s Veterans and Caring for Camp*  
4 *Lejeune Families Act of 2012”.*

5       (b) *TABLE OF CONTENTS.*—*The table of contents for*  
6 *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.*

***TITLE I—HEALTH CARE MATTERS***

*Sec. 101. Short title.*

- Sec. 102. Hospital care and medical services for veterans stationed at Camp Lejeune, North Carolina.*
- Sec. 103. Authority to waive collection of copayments for telehealth and telemedicine visits of veterans.*
- Sec. 104. Temporary expansion of payments and allowances for beneficiary travel in connection with veterans receiving care from Vet Centers.*
- Sec. 105. Contracts and agreements for nursing home care.*
- Sec. 106. Comprehensive policy on reporting and tracking sexual assault incidents and other safety incidents.*
- Sec. 107. Rehabilitative services for veterans with traumatic brain injury.*
- Sec. 108. Teleconsultation and telemedicine.*
- Sec. 109. Use of service dogs on property of the Department of Veterans Affairs.*
- Sec. 110. Recognition of rural health resource centers in Office of Rural Health.*
- Sec. 111. Improvements for recovery and collection of amounts for Department of Veterans Affairs Medical Care Collections Fund.*
- Sec. 112. Extension of authority for copayments.*
- Sec. 113. Extension of authority for recovery of cost of certain care and services.*

#### TITLE II—HOUSING MATTERS

- Sec. 201. Short title.*
- Sec. 202. Temporary expansion of eligibility for specially adapted housing assistance for certain veterans with disabilities causing difficulty with ambulating.*
- Sec. 203. Expansion of eligibility for specially adapted housing assistance for veterans with vision impairment.*
- Sec. 204. Revised limitations on assistance furnished for acquisition and adaptation of housing for disabled veterans.*
- Sec. 205. Improvements to assistance for disabled veterans residing in housing owned by a family member.*
- Sec. 206. Department of Veterans Affairs housing loan guarantees for surviving spouses of certain totally disabled veterans.*
- Sec. 207. Occupancy of property by dependent child of veteran for purposes of meeting occupancy requirement for Department of Veterans Affairs housing loans.*
- Sec. 208. Making permanent project for guaranteeing of adjustable rate mortgages.*
- Sec. 209. Making permanent project for insuring hybrid adjustable rate mortgages.*
- Sec. 210. Waiver of loan fee for individuals with disability ratings issued during pre-discharge programs.*
- Sec. 211. Modification of authorities for enhanced-use leases of real property.*

#### TITLE III—HOMELESS MATTERS

- Sec. 301. Enhancement of comprehensive service programs.*
- Sec. 302. Modification of authority for provision of treatment and rehabilitation to certain veterans to include provision of treatment and rehabilitation to homeless veterans who are not seriously mentally ill.*
- Sec. 303. Modification of grant program for homeless veterans with special needs.*
- Sec. 304. Collaboration in provision of case management services to homeless veterans in supported housing program.*
- Sec. 305. Extensions of previously fully funded authorities affecting homeless veterans.*

*TITLE IV—EDUCATION MATTERS*

- Sec. 401. Aggregate amount of educational assistance available to individuals who receive both survivors' and dependents' educational assistance and other veterans and related educational assistance.*
- Sec. 402. Annual reports on Post-9/11 Educational Assistance Program and Survivors' and Dependents' Educational Assistance Program.*

*TITLE V—BENEFITS MATTERS*

- Sec. 501. Automatic waiver of agency of original jurisdiction review of new evidence.*
- Sec. 502. Authority for certain persons to sign claims filed with Secretary of Veterans Affairs on behalf of claimants.*
- Sec. 503. Improvement of process for filing jointly for social security and dependency and indemnity compensation.*
- Sec. 504. Authorization of use of electronic communication to provide notice to claimants for benefits under laws administered by the Secretary of Veterans Affairs.*
- Sec. 505. Duty to assist claimants in obtaining private records.*
- Sec. 506. Authority for retroactive effective date for awards of disability compensation in connection with applications that are fully-developed at submittal.*
- Sec. 507. Modification of month of death benefit for surviving spouses of veterans who die while entitled to compensation or pension.*
- Sec. 508. Increase in rate of pension for disabled veterans married to one another and both of whom require regular aid and attendance.*
- Sec. 509. Exclusion of certain reimbursements of expenses from determination of annual income with respect to pensions for veterans and surviving spouses and children of veterans.*

*TITLE VI—MEMORIAL, BURIAL, AND CEMETERY MATTERS*

- Sec. 601. Prohibition on disruptions of funerals of members or former members of the Armed Forces.*
- Sec. 602. Codification of prohibition against reservation of gravesites at Arlington National Cemetery.*
- Sec. 603. Expansion of eligibility for presidential memorial certificates to persons who died in the active military, naval, or air service.*
- Sec. 604. Requirements for the placement of monuments in Arlington National Cemetery.*

*TITLE VII—OTHER MATTERS*

- Sec. 701. Assistance to veterans affected by natural disasters.*
- Sec. 702. Extension of certain expiring provisions of law.*
- Sec. 703. Requirement for plan for regular assessment of employees of Veterans Benefits Administration who handle processing of claims for compensation and pension.*
- Sec. 704. Modification of provision relating to reimbursement rate for ambulance services.*
- Sec. 705. Change in collection and verification of veteran income.*
- Sec. 706. Department of Veterans Affairs enforcement penalties for misrepresentation of a business concern as a small business concern owned and controlled by veterans or as a small business concern owned and controlled by service-disabled veterans.*

*Sec. 707. Quarterly reports to Congress on conferences sponsored by the Department.*

*Sec. 708. Publication of data on employment of certain veterans by Federal contractors.*

*Sec. 709. VetStar Award Program.*

*Sec. 710. Extended period of protections for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction.*

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

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

7 **SEC. 3. SCORING OF BUDGETARY EFFECTS.**

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

16 **TITLE I—HEALTH CARE**  
17 **MATTERS**

18 **SEC. 101. SHORT TITLE.**

19 *This title may be cited as the “Janey Ensminger Act”.*

1 **SEC. 102. HOSPITAL CARE AND MEDICAL SERVICES FOR**  
2 **VETERANS STATIONED AT CAMP LEJEUNE,**  
3 **NORTH CAROLINA.**

4 (a) *HOSPITAL CARE AND MEDICAL SERVICES FOR*  
5 *VETERANS.*—

6 (1) *IN GENERAL.*—*Paragraph (1) of section*  
7 *1710(e) is amended by adding at the end the fol-*  
8 *lowing new subparagraph:*

9 “(F) *Subject to paragraph (2), a veteran who served*  
10 *on active duty in the Armed Forces at Camp Lejeune, North*  
11 *Carolina, for not fewer than 30 days during the period be-*  
12 *ginning on January 1, 1957, and ending on December 31,*  
13 *1987, is eligible for hospital care and medical services under*  
14 *subsection (a)(2)(F) for any of the following illnesses or con-*  
15 *ditions, notwithstanding that there is insufficient medical*  
16 *evidence to conclude that such illnesses or conditions are*  
17 *attributable to such service:*

18 “(i) *Esophageal cancer.*

19 “(ii) *Lung cancer.*

20 “(iii) *Breast cancer.*

21 “(iv) *Bladder cancer.*

22 “(v) *Kidney cancer.*

23 “(vi) *Leukemia.*

24 “(vii) *Multiple myeloma.*

25 “(viii) *Myelodysplastic syndromes.*

26 “(ix) *Renal toxicity.*

1           “(x) *Hepatic steatosis.*

2           “(xi) *Female infertility.*

3           “(xii) *Miscarriage.*

4           “(xiii) *Scleroderma.*

5           “(xiv) *Neurobehavioral effects.*

6           “(xv) *Non-Hodgkin’s lymphoma.”*

7           (2) *LIMITATION.—Paragraph (2)(B) of such sec-*  
 8           *tion is amended by striking “or (E)” and inserting*  
 9           *“(E), or (F)”.*

10          (b) *FAMILY MEMBERS.—*

11           (1) *IN GENERAL.—Subchapter VIII of chapter 17*  
 12           *is amended by adding at the end the following new*  
 13           *section:*

14          “**§ 1787. Health care of family members of veterans**  
 15                           **stationed at Camp Lejeune, North Caro-**  
 16                           **lina**

17           “(a) *IN GENERAL.—Subject to subsection (b), a family*  
 18           *member of a veteran described in subparagraph (F) of sec-*  
 19           *tion 1710(e)(1) of this title who resided at Camp Lejeune,*  
 20           *North Carolina, for not fewer than 30 days during the pe-*  
 21           *riod described in such subparagraph or who was in utero*  
 22           *during such period while the mother of such family member*  
 23           *resided at such location shall be eligible for hospital care*  
 24           *and medical services furnished by the Secretary for any of*  
 25           *the illnesses or conditions described in such subparagraph,*

1 *notwithstanding that there is insufficient medical evidence*  
2 *to conclude that such illnesses or conditions are attributable*  
3 *to such residence.*

4       “(b) *LIMITATIONS.—(1) The Secretary may only fur-*  
5 *nish hospital care and medical services under subsection (a)*  
6 *to the extent and in the amount provided in advance in*  
7 *appropriations Acts for such purpose.*

8       “(2) *Hospital care and medical services may not be*  
9 *furnished under subsection (a) for an illness or condition*  
10 *of a family member that is found, in accordance with guide-*  
11 *lines issued by the Under Secretary for Health, to have re-*  
12 *sulted from a cause other than the residence of the family*  
13 *member described in that subsection.*

14       “(3) *The Secretary may provide reimbursement for*  
15 *hospital care or medical services provided to a family mem-*  
16 *ber under this section only after the family member or the*  
17 *provider of such care or services has exhausted without suc-*  
18 *cess all claims and remedies reasonably available to the*  
19 *family member or provider against a third party (as de-*  
20 *finied in section 1725(f) of this title) for payment of such*  
21 *care or services, including with respect to health-plan con-*  
22 *tracts (as defined in such section).”.*

23       (2) *CLERICAL AMENDMENT.—The table of sec-*  
24 *tions at the beginning of such chapter is amended by*

1        *inserting after the item relating to section 1786 the*  
2        *following new item:*

      “1787. *Health care of family members of veterans stationed at Camp Lejeune, North Carolina.*”.

3        *(c) ANNUAL REPORTS.—*

4            *(1) IN GENERAL.—Not later than December 31 of*  
5        *each of 2013, 2014, and 2015, the Secretary of Vet-*  
6        *erans Affairs shall submit to the Committee on Vet-*  
7        *erans’ Affairs of the Senate and the Committee on*  
8        *Veterans’ Affairs of the House of Representatives a re-*  
9        *port on the care and services provided under sections*  
10       *1710(e)(1)(F) and 1787 of title 38, United States*  
11       *Code (as added by subsections (a) and (b)(1), respec-*  
12       *tively).*

13           *(2) ELEMENTS.—Each report under paragraph*  
14       *(1) shall set forth the following:*

15            *(A) The number of veterans and family*  
16        *members provided hospital care and medical*  
17        *services under the provisions of law specified in*  
18        *paragraph (1) during the period beginning on*  
19        *October 1, 2012, and ending on the date of such*  
20        *report.*

21            *(B) The illnesses, conditions, and disabil-*  
22        *ities for which care and services have been pro-*  
23        *vided such veterans and family members under*  
24        *such provisions of law during that period.*



1           (C) *The number of veterans and family*  
2           *members who applied for care and services under*  
3           *such provisions of law during that period but*  
4           *were denied, including information on the rea-*  
5           *sons for such denials.*

6           (D) *The number of veterans and family*  
7           *members who applied for care and services under*  
8           *such provisions of law and are awaiting a deci-*  
9           *sion from the Secretary on eligibility for such*  
10          *care and services as of the date of such report.*

11       (d) *EFFECTIVE DATE.*—

12           (1) *IN GENERAL.*—*The provisions of this section*  
13           *and the amendments made by this section shall take*  
14           *effect on the date of the enactment of this Act.*

15           (2) *APPLICABILITY.*—*Subparagraph (F) of sec-*  
16           *tion 1710(e)(1) of such title, as added by subsection*  
17           *(a), and section 1787 of title 38, United States Code,*  
18           *as added by subsection (b)(1), shall apply with re-*  
19           *spect to hospital care and medical services provided*  
20           *on or after the date of the enactment of this Act.*

1 **SEC. 103. AUTHORITY TO WAIVE COLLECTION OF COPAY-**  
2 **MENTS FOR TELEHEALTH AND TELEMEDI-**  
3 **CINE VISITS OF VETERANS.**

4 (a) *IN GENERAL.*—Subchapter III of chapter 17 is  
5 amended by inserting after section 1722A the following new  
6 section:

7 **“§ 1722B. Copayments: waiver of collection of copay-**  
8 **ments for telehealth and telemedicine vis-**  
9 **its of veterans**

10 *“The Secretary may waive the imposition or collection*  
11 *of copayments for telehealth and telemedicine visits of vet-*  
12 *erans under the laws administered by the Secretary.”.*

13 (b) *CLERICAL AMENDMENT.*—The table of sections at  
14 the beginning of such chapter is amended by inserting after  
15 the item relating to section 1722A the following new item:

*“1722B. Copayments: waiver of collection of copayments for telehealth and tele-*  
*medicine visits of veterans.”.*

16 **SEC. 104. TEMPORARY EXPANSION OF PAYMENTS AND AL-**  
17 **LOWANCES FOR BENEFICIARY TRAVEL IN**  
18 **CONNECTION WITH VETERANS RECEIVING**  
19 **CARE FROM VET CENTERS.**

20 (a) *IN GENERAL.*—Beginning one year after the date  
21 of the enactment of this Act, the Secretary of Veterans Af-  
22 fairs shall commence a three-year initiative to assess the  
23 feasibility and advisability of paying under section 111(a)  
24 of title 38, United States Code, the actual necessary ex-

1 *penses of travel or allowances for travel from a residence*  
2 *located in an area that is designated by the Secretary as*  
3 *highly rural to the nearest Vet Center and from such Vet*  
4 *Center to such residence.*

5 *(b) REPORT.—*

6 *(1) IN GENERAL.—Not later than 180 days after*  
7 *the date of the completion of the initiative, the Sec-*  
8 *retary shall submit to Congress a report on the find-*  
9 *ings of the Secretary with respect to the initiative re-*  
10 *quired by subsection (a).*

11 *(2) ELEMENTS.—The report required by para-*  
12 *graph (1) shall include the following:*

13 *(A) A description of the individuals who*  
14 *benefitted from payment under the initiative.*

15 *(B) A description of any impediments to*  
16 *the Secretary in paying expenses or allowances*  
17 *under the initiative.*

18 *(C) A description of any impediments en-*  
19 *countered by individuals in receiving such pay-*  
20 *ments.*

21 *(D) An assessment of the feasibility and ad-*  
22 *visability of paying such expenses or allowances.*

23 *(E) An assessment of any fraudulent receipt*  
24 *of payment under the initiative and the rec-*

1            *ommendations of the Secretary for legislative or*  
2            *administrative action to reduce such fraud.*

3            *(F) Such recommendations for legislative or*  
4            *administrative action as the Secretary considers*  
5            *appropriate with respect to the payment of ex-*  
6            *penses or allowances as described in subsection*  
7            *(a).*

8            *(c) VET CENTER DEFINED.—In this section, the term*  
9            *“Vet Center” means a center for readjustment counseling*  
10           *and related mental health services for veterans under section*  
11           *1712A of title 38, United States Code.*

12           **SEC. 105. CONTRACTS AND AGREEMENTS FOR NURSING**  
13           **HOME CARE.**

14           *(a) CONTRACTS.—Section 1745(a) is amended—*

15           *(1) in paragraph (1), by striking “The Secretary*  
16           *shall pay each State home for nursing home care at*  
17           *the rate determined under paragraph (2)” and insert-*  
18           *ing “The Secretary shall enter into a contract (or*  
19           *agreement under section 1720(c)(1) of this title) with*  
20           *each State home for payment by the Secretary for*  
21           *nursing home care provided in the home”; and*

22           *(2) by striking paragraph (2) and inserting the*  
23           *following new paragraph (2):*

24           *“(2) Payment under each contract (or agreement) be-*  
25           *tween the Secretary and a State home under paragraph (1)*

1 *shall be based on a methodology, developed by the Secretary*  
2 *in consultation with the State home, to adequately reim-*  
3 *burse the State home for the care provided by the State*  
4 *home under the contract (or agreement).”.*

5 (b) *AGREEMENTS.—Section 1720(c)(1)(A) is amend-*  
6 *ed—*

7 (1) *in clause (i), by striking “; and” and insert-*  
8 *ing a semicolon;*

9 (2) *in clause (ii), by striking the period at the*  
10 *end and inserting “; and”; and*

11 (3) *by adding at the end the following new*  
12 *clause:*

13 “(iii) *a provider of services eligible to enter into*  
14 *a contract pursuant to section 1745(a) of this title*  
15 *that is not otherwise described in clause (i) or (ii).”.*

16 (c) *EFFECTIVE DATE.—*

17 (1) *IN GENERAL.—The amendments made by*  
18 *this section shall apply to care provided on or after*  
19 *the date that is 180 days after the date of the enact-*  
20 *ment of this Act.*

21 (2) *MAINTENANCE OF PRIOR METHODOLOGY OF*  
22 *REIMBURSEMENT FOR CERTAIN STATE HOMES.—In*  
23 *the case of a State home that provided nursing home*  
24 *care on the day before the date of the enactment of*  
25 *this Act for which the State home was eligible for pay*

1     *under section 1745(a)(1) of title 38, United States*  
2     *Code, at the request of any State home, the Secretary*  
3     *shall offer to enter into a contract (or agreement de-*  
4     *scribed in such section) with such State home under*  
5     *such section, as amended by subsection (a), for pay-*  
6     *ment for nursing home care provided by such State*  
7     *home under such section that reflects the overall meth-*  
8     *odology of reimbursement for such care that was in*  
9     *effect for such State home on the day before the date*  
10    *of the enactment of this Act.*

11 **SEC. 106. COMPREHENSIVE POLICY ON REPORTING AND**  
12                    **TRACKING SEXUAL ASSAULT INCIDENTS AND**  
13                    **OTHER SAFETY INCIDENTS.**

14     *(a) POLICY.—Subchapter I of chapter 17 is amended*  
15     *by adding at the end the following:*

16     **“§ 1709. Comprehensive policy on reporting and track-**  
17                    **ing sexual assault incidents and other**  
18                    **safety incidents**

19     **“(a) POLICY REQUIRED.—(1) Not later than Sep-**  
20     *tember 30, 2012, the Secretary shall develop and implement*  
21     *a centralized and comprehensive policy on the reporting*  
22     *and tracking of sexual assault incidents and other safety*  
23     *incidents that occur at each medical facility of the Depart-*  
24     *ment, including—*

1           “(A) suspected, alleged, attempted, or confirmed  
2 cases of sexual assault, regardless of whether such as-  
3 saults lead to prosecution or conviction;

4           “(B) criminal and purposefully unsafe acts;

5           “(C) alcohol or substance abuse related acts (in-  
6 cluding by employees of the Department); and

7           “(D) any kind of event involving alleged or sus-  
8 pected abuse of a patient.

9           “(2) In developing and implementing a policy under  
10 paragraph (1), the Secretary shall consider the effects of  
11 such policy on—

12           “(A) the use by veterans of mental health care  
13 and substance abuse treatments; and

14           “(B) the ability of the Department to refer vet-  
15 erans to such care or treatment.

16           “(b) SCOPE.—The policy required by subsection (a)  
17 shall cover each of the following:

18           “(1) For purposes of reporting and tracking sex-  
19 ual assault incidents and other safety incidents, defi-  
20 nitions of the terms—

21           “(A) ‘safety incident’;

22           “(B) ‘sexual assault’; and

23           “(C) ‘sexual assault incident’.

24           “(2)(A) The development and use of specific risk-  
25 assessment tools to examine any risks related to sex-

1 *ual assault that a veteran may pose while being treat-*  
2 *ed at a medical facility of the Department, including*  
3 *clear and consistent guidance on the collection of in-*  
4 *formation related to—*

5 *“(i) the legal history of the veteran; and*

6 *“(ii) the medical record of the veteran.*

7 *“(B) In developing and using tools under sub-*  
8 *paragraph (A), the Secretary shall consider the effects*  
9 *of using such tools on the use by veterans of health*  
10 *care furnished by the Department.*

11 *“(3) The mandatory training of employees of the*  
12 *Department on security issues, including awareness,*  
13 *preparedness, precautions, and police assistance.*

14 *“(4) The mandatory implementation, use, and*  
15 *regular testing of appropriate physical security pre-*  
16 *cautions and equipment, including surveillance cam-*  
17 *era systems, computer-based panic alarm systems,*  
18 *stationary panic alarms, and electronic portable per-*  
19 *sonal panic alarms.*

20 *“(5) Clear, consistent, and comprehensive cri-*  
21 *teria and guidance with respect to an employee of the*  
22 *Department communicating and reporting sexual as-*  
23 *sault incidents and other safety incidents to—*

24 *“(A) supervisory personnel of the employee*  
25 *at—*



1                   “(i) a medical facility of the Depart-  
2                   ment;

3                   “(ii) an office of a Veterans Integrated  
4                   Service Network; and

5                   “(iii) the central office of the Veterans  
6                   Health Administration; and

7                   “(B) a law enforcement official of the De-  
8                   partment.

9                   “(6) Clear and consistent criteria and guidelines  
10                  with respect to an employee of the Department refer-  
11                  ring and reporting to the Office of Inspector General  
12                  of the Department sexual assault incidents and other  
13                  safety incidents that meet the regulatory criminal  
14                  threshold prescribed under sections 901 and 902 of  
15                  this title.

16                  “(7) An accountable oversight system within the  
17                  Veterans Health Administration that includes—

18                         “(A) systematic information sharing of re-  
19                         ported sexual assault incidents and other safety  
20                         incidents among officials of the Administration  
21                         who have programmatic responsibility; and

22                         “(B) a centralized reporting, tracking, and  
23                         monitoring system for such incidents.

24                  “(8) Consistent procedures and systems for law  
25                  enforcement officials of the Department with respect

1       to investigating, tracking, and closing reported sexual  
2       assault incidents and other safety incidents.

3               “(9) Clear and consistent guidance for the clin-  
4       ical management of the treatment of sexual assaults  
5       that are reported more than 72 hours after the as-  
6       sault.

7               “(c) *UPDATES TO POLICY.*—The Secretary shall review  
8       and revise the policy required by subsection (a) on a peri-  
9       odic basis as the Secretary considers appropriate and in  
10      accordance with best practices.

11              “(d) *ANNUAL REPORT.*—(1) Not later than 60 days  
12      after the date on which the Secretary develops the policy  
13      required by subsection (a) and not later than October 1 of  
14      each year thereafter, the Secretary shall submit to the Com-  
15      mittee on Veterans’ Affairs of the Senate and the Committee  
16      on Veterans’ Affairs of the House of Representatives a report  
17      on the implementation of the policy.

18              “(2) The report required by paragraph (1) shall in-  
19      clude—

20                      “(A) the number and type of sexual assault inci-  
21      dents and other safety incidents reported by each  
22      medical facility of the Department;

23                      “(B) a detailed description of the implementa-  
24      tion of the policy required by subsection (a), includ-

1 *ing any revisions made to such policy from the pre-*  
2 *vious year; and*

3 *“(C) the effectiveness of such policy on improving*  
4 *the safety and security of the medical facilities of the*  
5 *Department, including the performance measures used*  
6 *to evaluate such effectiveness.”.*

7 *(b) CLERICAL AMENDMENT.—The table of sections at*  
8 *the beginning of such chapter is amended by adding after*  
9 *the item relating to section 1708 the following new item:*

*“1709. Comprehensive policy on reporting and tracking sexual assault incidents*  
*and other safety incidents.”.*

10 *(c) INTERIM REPORT.—Not later than 30 days after*  
11 *the date of the enactment of this Act, the Secretary of Vet-*  
12 *erans Affairs shall submit to the Committee on Veterans’*  
13 *Affairs of the Senate and the Committee on Veterans’ Af-*  
14 *fairs of the House of Representatives a report on the devel-*  
15 *opment of the policy required by section 1709 of title 38,*  
16 *United States Code, as added by subsection (a).*

17 **SEC. 107. REHABILITATIVE SERVICES FOR VETERANS WITH**  
18 **TRAUMATIC BRAIN INJURY.**

19 *(a) REHABILITATION PLANS AND SERVICES.—Section*  
20 *1710C is amended—*

21 *(1) in subsection (a)(1), by inserting before the*  
22 *semicolon the following: “with the goal of maximizing*  
23 *the individual’s independence”;*

24 *(2) in subsection (b)—*

1           (A) in paragraph (1)—

2                 (i) by inserting “(and sustaining im-  
3                 provement in)” after “improving”;

4                 (ii) by inserting “behavioral,” after  
5                 “cognitive,”;

6           (B) in paragraph (2), by inserting “reha-  
7           bitative services and” before “rehabilitative  
8           components”; and

9           (C) in paragraph (3)—

10                 (i) by striking “treatments” the first  
11                 place it appears and inserting “services”;  
12                 and

13                 (ii) by striking “treatments and” the  
14                 second place it appears; and

15           (3) by adding at the end the following new sub-  
16           section:

17           “(h) REHABILITATIVE SERVICES DEFINED.—For pur-  
18           poses of this section, and sections 1710D and 1710E of this  
19           title, the term ‘rehabilitative services’ includes—

20                 “(1) rehabilitative services, as defined in section  
21                 1701 of this title;

22                 “(2) treatment and services (which may be of on-  
23                 going duration) to sustain, and prevent loss of, func-  
24                 tional gains that have been achieved; and

1           “(3) any other rehabilitative services or supports  
2           that may contribute to maximizing an individual’s  
3           independence.”.

4           (b) *REHABILITATION SERVICES IN COMPREHENSIVE*  
5 *PROGRAM FOR LONG-TERM REHABILITATION.*—Section  
6 *1710D(a)* is amended—

7           (1) by inserting “and rehabilitative services (as  
8           defined in section 1710C of this title)” after “long-  
9           term care”; and

10          (2) by striking “treatment”.

11          (c) *REHABILITATION SERVICES IN AUTHORITY FOR*  
12 *COOPERATIVE AGREEMENTS FOR USE OF NON-DEPART-*  
13 *MENT FACILITIES FOR REHABILITATION.*—Section  
14 *1710E(a)* is amended by inserting “, including rehabilita-  
15 *tive services (as defined in section 1710C of this title),”*  
16 after “medical services”.

17          (d)           *TECHNICAL            AMENDMENT.*—Section  
18 *1710C(c)(2)(S)* of title 38, United States Code, is amended  
19 by striking “ophthamologist” and inserting “ophthalmol-  
20 *ogist”*.

21 **SEC. 108. TELECONSULTATION AND TELEMEDICINE.**

22          (a) *TELECONSULTATION.*—

23           (1) *IN GENERAL.*—Subchapter I of chapter 17, as  
24           amended by section 106(a), is further amended by  
25           adding at the end the following new section:

1 **“§ 1709A. Teleconsultation**

2       “(a) *TELECONSULTATION.*—(1) *The Secretary shall*  
3 *carry out an initiative of teleconsultation for the provision*  
4 *of remote mental health and traumatic brain injury assess-*  
5 *ments in facilities of the Department that are not otherwise*  
6 *able to provide such assessments without contracting with*  
7 *third-party providers or reimbursing providers through a*  
8 *fee basis system.*

9       “(2) *The Secretary shall, in consultation with appro-*  
10 *priate professional societies, promulgate technical and clin-*  
11 *ical care standards for the use of teleconsultation services*  
12 *within facilities of the Department.*

13       “(3) *In carrying out an initiative under paragraph*  
14 *(1), the Secretary shall ensure that facilities of the Depart-*  
15 *ment are able to provide a mental health or traumatic brain*  
16 *injury assessment to a veteran through contracting with a*  
17 *third-party provider or reimbursing a provider through a*  
18 *fee basis system when—*

19               “(A) *such facilities are not able to provide such*  
20 *assessment to the veteran without—*

21                       “(i) *such contracting or reimbursement; or*

22                       “(ii) *teleconsultation; and*

23               “(B) *providing such assessment with such con-*  
24 *tracting or reimbursement is more clinically appro-*  
25 *priate for the veteran than providing such assessment*  
26 *with teleconsultation.*

1       “(b) *TELECONSULTATION DEFINED.*—*In this section,*  
2 *the term ‘teleconsultation’ means the use by a health care*  
3 *specialist of telecommunications to assist another health*  
4 *care provider in rendering a diagnosis or treatment.’”.*

5           (2) *CLERICAL AMENDMENT.*—*The table of sec-*  
6 *tions at the beginning of chapter 17 is amended by*  
7 *inserting after the item relating to section 1709, as*  
8 *added by section 106(b), the following new item:*

“1709A. *Teleconsultation.*”.

9       (b) *TRAINING IN TELEMEDICINE.*—

10           (1) *IN GENERAL.*—*The Secretary of Veterans Af-*  
11 *airs shall, to the extent feasible, offer medical resi-*  
12 *dents opportunities in training in telemedicine for*  
13 *medical residency programs. The Secretary shall con-*  
14 *sult with the Accreditation Council for Graduate*  
15 *Medical Education and with universities with which*  
16 *facilities of the Department have a major affiliation*  
17 *to determine the feasibility and advisability of mak-*  
18 *ing telehealth a mandatory component of medical*  
19 *residency programs.*

20           (2) *TELEMEDICINE DEFINED.*—*In this sub-*  
21 *section, the term “telemedicine” means the use by a*  
22 *health care provider of telecommunications to assist*  
23 *in the diagnosis or treatment of a patient’s medical*  
24 *condition.*

1 **SEC. 109. USE OF SERVICE DOGS ON PROPERTY OF THE DE-**  
2 **PARTMENT OF VETERANS AFFAIRS.**

3 *Section 901 is amended by adding at the end the fol-*  
4 *lowing new subsection:*

5 “(f)(1) *The Secretary may not prohibit the use of a*  
6 *covered service dog in any facility or on any property of*  
7 *the Department or in any facility or on any property that*  
8 *receives funding from the Secretary.*

9 “(2) *For purposes of this subsection, a covered service*  
10 *dog is a service dog that has been trained by an entity that*  
11 *is accredited by an appropriate accrediting body that eval-*  
12 *uates and accredits organizations which train guide or serv-*  
13 *ice dogs.”.*

14 **SEC. 110. RECOGNITION OF RURAL HEALTH RESOURCE**  
15 **CENTERS IN OFFICE OF RURAL HEALTH.**

16 *Section 7308 is amended by adding at the end the fol-*  
17 *lowing new subsection:*

18 “(d) **RURAL HEALTH RESOURCE CENTERS.—**(1)  
19 *There are, in the Office, veterans rural health resource cen-*  
20 *ters that serve as satellite offices for the Office.*

21 “(2) *The veterans rural health resource centers have*  
22 *purposes as follows:*

23 “(A) *To improve the understanding of the Office*  
24 *of the challenges faced by veterans living in rural*  
25 *areas.*



1           “(B) *To identify disparities in the availability*  
2 *of health care to veterans living in rural areas.*”

3           “(C) *To formulate practices or programs to en-*  
4 *hance the delivery of health care to veterans living in*  
5 *rural areas.*”

6           “(D) *To develop special practices and products*  
7 *for the benefit of veterans living in rural areas and*  
8 *for implementation of such practices and products in*  
9 *the Department systemwide.*”

10 **SEC. 111. IMPROVEMENTS FOR RECOVERY AND COLLEC-**  
11 **TION OF AMOUNTS FOR DEPARTMENT OF**  
12 **VETERANS AFFAIRS MEDICAL CARE COLLEC-**  
13 **TIONS FUND.**

14           (a) *DEVELOPMENT AND IMPLEMENTATION OF PLAN*  
15 *FOR RECOVERY AND COLLECTION.—*

16           (1) *IN GENERAL.—Not later than 270 days after*  
17 *the date of the enactment of this Act, the Secretary of*  
18 *Veterans Affairs shall develop and implement a plan*  
19 *to ensure the recovery and collection of amounts*  
20 *under the provisions of law described in section*  
21 *1729A(b) of title 38, United States Code, for deposit*  
22 *in the Department of Veterans Affairs Medical Care*  
23 *Collections Fund.*

24           (2) *ELEMENTS.—The plan required by para-*  
25 *graph (1) shall include the following:*

1           (A) *An effective process to identify billable*  
2           *fee claims.*

3           (B) *Effective and practicable policies and*  
4           *procedures that ensure recovery and collection of*  
5           *amounts described in section 1729A(b) of such*  
6           *title.*

7           (C) *The training of employees of the De-*  
8           *partment, on or before September 30, 2013, who*  
9           *are responsible for the recovery or collection of*  
10          *such amounts to enable such employees to comply*  
11          *with the process required by subparagraph (A)*  
12          *and the policies and procedures required by sub-*  
13          *paragraph (B).*

14          (D) *Fee revenue goals for the Department.*

15          (E) *An effective monitoring system to en-*  
16          *sure achievement of goals described in subpara-*  
17          *graph (D) and compliance with the policies and*  
18          *procedures described in subparagraph (B).*

19          (b) *MONITORING OF THIRD-PARTY COLLECTIONS.—*  
20          *The Secretary shall monitor the recovery and collection of*  
21          *amounts from third parties (as defined in section 1729(i)*  
22          *of such title) for deposit in such fund.*

23          **SEC. 112. EXTENSION OF AUTHORITY FOR COPAYMENTS.**

24          *Section 1710(f)(2)(B) is amended by striking “Sep-*  
25          *tember 30, 2012” and inserting “September 30, 2013”.*

1 **SEC. 113. EXTENSION OF AUTHORITY FOR RECOVERY OF**  
2 **COST OF CERTAIN CARE AND SERVICES.**

3 *Section 1729(a)(2)(E) is amended by striking “Octo-*  
4 *ber 1, 2012” and inserting “October 1, 2013”.*

5 **TITLE II—HOUSING MATTERS**

6 **SEC. 201. SHORT TITLE.**

7 *This title may be cited as the “Andrew Connelly Vet-*  
8 *erans Housing Act”.*

9 **SEC. 202. TEMPORARY EXPANSION OF ELIGIBILITY FOR**  
10 **SPECIALLY ADAPTED HOUSING ASSISTANCE**  
11 **FOR CERTAIN VETERANS WITH DISABILITIES**  
12 **CAUSING DIFFICULTY WITH AMBULATING.**

13 *(a) IN GENERAL.—Paragraph (2) of section 2101(a)*  
14 *is amended to read as follows:*

15 *“(2)(A) A veteran is described in this paragraph if the*  
16 *veteran—*

17 *“(i) is entitled to compensation under chapter 11*  
18 *of this title for a permanent and total service-con-*  
19 *ected disability that meets any of the criteria de-*  
20 *scribed in subparagraph (B); or*

21 *“(ii) served in the Armed Forces on or after Sep-*  
22 *tember 11, 2001, and is entitled to compensation*  
23 *under chapter 11 of this title for a permanent service-*  
24 *connected disability that meets the criterion described*  
25 *in subparagraph (C).*

1       “(B) *The criteria described in this subparagraph are*  
2 *as follows:*

3           “(i) *The disability is due to the loss, or loss of*  
4 *use, of both lower extremities such as to preclude loco-*  
5 *motion without the aid of braces, crutches, canes, or*  
6 *a wheelchair.*

7           “(ii) *The disability is due to—*

8               “(I) *blindness in both eyes, having only*  
9 *light perception, plus (i) loss or loss of use of*  
10 *one lower extremity.*

11           “(iii) *The disability is due to the loss or loss of*  
12 *use of one lower extremity together with—*

13               “(I) *residuals of organic disease or injury;*

14               *or*

15               “(II) *the loss or loss of use of one upper ex-*  
16 *tremity,*

17 *which so affect the functions of balance or propulsion*  
18 *as to preclude locomotion without the aid of braces,*  
19 *crutches, canes, or a wheelchair.*

20           “(iv) *The disability is due to the loss, or loss of*  
21 *use, of both upper extremities such as to preclude use*  
22 *of the arms at or above the elbows.*

23           “(v) *The disability is due to a severe burn injury*  
24 *(as determined pursuant to regulations prescribed by*  
25 *the Secretary).*

1       “(C) *The criterion described in this subparagraph is*  
2 *that the disability—*

3               “(i) *was incurred on or after September 11,*  
4 *2001; and*

5               “(ii) *is due to the loss or loss of use of one or*  
6 *more lower extremities which so affects the functions*  
7 *of balance or propulsion as to preclude ambulating*  
8 *without the aid of braces, crutches, canes, or a wheel-*  
9 *chair.”.*

10       (b) *EFFECTIVE DATE.—The amendment made by sub-*  
11 *section (a) shall take effect on October 1, 2012.*

12       (c) *SUNSET.—Subsection (a) of section 2101 is amend-*  
13 *ed—*

14               (1) *in paragraph (1), by striking “to paragraph*  
15 *(3)” and inserting “to paragraphs (3) and (4)”;* and

16               (2) *by adding at the end the following new para-*  
17 *graph:*

18               “(4) *The Secretary’s authority to furnish assistance*  
19 *under paragraph (1) to a disabled veteran described in*  
20 *paragraph (2)(A)(ii) shall apply only with respect to appli-*  
21 *cations for such assistance approved by the Secretary on*  
22 *or before September 30, 2013.”.*

1 **SEC. 203. EXPANSION OF ELIGIBILITY FOR SPECIALLY**  
2 **ADAPTED HOUSING ASSISTANCE FOR VET-**  
3 **ERANS WITH VISION IMPAIRMENT.**

4 (a) *IN GENERAL.*—Paragraph (2) of section 2101(b)  
5 is amended to read as follows:

6 “(2) A veteran is described in this paragraph if the  
7 veteran is entitled to compensation under chapter 11 of this  
8 title for a service-connected disability that meets any of the  
9 following criteria:

10 “(A) The disability is due to blindness in both  
11 eyes, having central visual acuity of 20/200 or less in  
12 the better eye with the use of a standard correcting  
13 lens. For the purposes of this subparagraph, an eye  
14 with a limitation in the fields of vision such that the  
15 widest diameter of the visual field subtends an angle  
16 no greater than 20 degrees shall be considered as hav-  
17 ing a central visual acuity of 20/200 or less.

18 “(B) A permanent and total disability that in-  
19 cludes the anatomical loss or loss of use of both hands.

20 “(C) A permanent and total disability that is  
21 due to a severe burn injury (as so determined).”.

22 (b) *EFFECTIVE DATE.*—The amendment made by sub-  
23 section (a) shall take effect on October 1, 2012.

1 **SEC. 204. REVISED LIMITATIONS ON ASSISTANCE FUR-**  
2 **NISHED FOR ACQUISITION AND ADAPTATION**  
3 **OF HOUSING FOR DISABLED VETERANS.**

4 (a) *IN GENERAL.*—Subsection (d) of section 2102 is  
5 amended to read as follows:

6 “(d)(1) *The aggregate amount of assistance available*  
7 *to an individual under section 2101(a) of this title shall*  
8 *be limited to \$63,780.*

9 “(2) *The aggregate amount of assistance available to*  
10 *an individual under section 2101(b) of this title shall be*  
11 *limited to \$12,756.*

12 “(3) *No veteran may receive more than three grants*  
13 *of assistance under this chapter.”.*

14 (b) *EFFECTIVE DATE.*—*The amendments made by sub-*  
15 *section (a) shall take effect on the date that is one year after*  
16 *the date of the enactment of this Act and shall apply with*  
17 *respect to assistance provided under sections 2101(a),*  
18 *2101(b), and 2102A of title 38, United States Code, after*  
19 *such date.*

20 (c) *MAINTENANCE OF HIGHER RATES.*—*The amend-*  
21 *ment made by subsection (a) shall not be construed to de-*  
22 *crease the aggregate amount of assistance available to an*  
23 *individual under the sections described in subsection (b),*  
24 *as most recently increased by the Secretary pursuant to sec-*  
25 *tion 2102(e) of such title.*

1 **SEC. 205. IMPROVEMENTS TO ASSISTANCE FOR DISABLED**  
2 **VETERANS RESIDING IN HOUSING OWNED BY**  
3 **A FAMILY MEMBER.**

4 (a) *INCREASED ASSISTANCE.*—Subsection (b) of sec-  
5 tion 2102A is amended—

6 (1) in paragraph (1), by striking “\$14,000” and  
7 inserting “\$28,000”; and

8 (2) in paragraph (2), by striking “\$2,000” and  
9 inserting “\$5,000”.

10 (b) *INDEXING OF LEVELS OF ASSISTANCE.*—Such sub-  
11 section is further amended—

12 (1) by redesignating paragraphs (1) and (2) as  
13 subparagraphs (A) and (B), respectively;

14 (2) in the matter before subparagraph (A), as re-  
15 designated by paragraph (1), by inserting “(1)” be-  
16 fore “The”; and

17 (3) by adding at the end the following new para-  
18 graph (2):

19 “(2) *Effective on October 1 of each year (beginning in*  
20 *2012), the Secretary shall use the same percentage cal-*  
21 *culated pursuant to section 2102(e) of this title to increase*  
22 *the amounts described in paragraph (1) of this subsection.”.*

23 (c) *EXTENSION OF AUTHORITY FOR ASSISTANCE.*—  
24 Subsection (e) of such section is amended by striking “De-  
25 cember 31, 2012” and inserting “December 31, 2022”.



1       (d) *EFFECTIVE DATE.*—*The amendments made by this*  
2 *section shall take effect on the date of the enactment of this*  
3 *Act and shall apply with respect to assistance furnished in*  
4 *accordance with section 2102A of title 38, United States*  
5 *Code, on or after that date.*

6 **SEC. 206. DEPARTMENT OF VETERANS AFFAIRS HOUSING**  
7                   **LOAN GUARANTEES FOR SURVIVING SPOUSES**  
8                   **OF CERTAIN TOTALLY DISABLED VETERANS.**

9       (a) *IN GENERAL.*—*Section 3701(b) is amended by*  
10 *adding at the end the following new paragraph:*

11               “(6) *The term ‘veteran’ also includes, for pur-*  
12 *poses of home loans, the surviving spouse of a veteran*  
13 *who died and who was in receipt of or entitled to re-*  
14 *ceive (or but for the receipt of retired or retirement*  
15 *pay was entitled to receive) compensation at the time*  
16 *of death for a service-connected disability rated to-*  
17 *tally disabling if—*

18                   “(A) *the disability was continuously rated*  
19 *totally disabling for a period of 10 or more years*  
20 *immediately preceding death;*

21                   “(B) *the disability was continuously rated*  
22 *totally disabling for a period of not less than five*  
23 *years from the date of such veteran’s discharge or*  
24 *other release from active duty; or*



1 *quirements of this chapter shall be considered to be satisfied*  
 2 *if—*

3           “(A) *the spouse of the veteran occupies or intends*  
 4 *to occupy the property as a home and the spouse*  
 5 *makes the certification required by paragraph (1) of*  
 6 *this subsection; or*

7           “(B) *a dependent child of the veteran occupies or*  
 8 *will occupy the property as a home and the veteran’s*  
 9 *attorney-in-fact or legal guardian of the dependent*  
 10 *child makes the certification required by paragraph*  
 11 *(1) of this subsection.”.*

12 **SEC. 208. MAKING PERMANENT PROJECT FOR GUARAN-**  
 13 **TEERING OF ADJUSTABLE RATE MORTGAGES.**

14 *Section 3707(a) is amended by striking “demonstra-*  
 15 *tion project under this section during fiscal years 1993*  
 16 *through 2012” and inserting “project under this section”.*

17 **SEC. 209. MAKING PERMANENT PROJECT FOR INSURING**  
 18 **HYBRID ADJUSTABLE RATE MORTGAGES.**

19 *Section 3707A(a) is amended by striking “demonstra-*  
 20 *tion project under this section during fiscal years 2004*  
 21 *through 2012” and inserting “project under this section”.*

1 **SEC. 210. WAIVER OF LOAN FEE FOR INDIVIDUALS WITH**  
2 **DISABILITY RATINGS ISSUED DURING PRE-**  
3 **DISCHARGE PROGRAMS.**

4 *Paragraph (2) of section 3729(c) is amended to read*  
5 *as follows:*

6 “(2)(A) *A veteran described in subparagraph (B) shall*  
7 *be treated as receiving compensation for purposes of this*  
8 *subsection as of the date of the rating described in such sub-*  
9 *paragraph without regard to whether an effective date of*  
10 *the award of compensation is established as of that date.*

11 “(B) *A veteran described in this subparagraph is a*  
12 *veteran who is rated eligible to receive compensation—*

13 *“(i) as the result of a pre-discharge disability ex-*  
14 *amination and rating; or*

15 *“(ii) based on a pre-discharge review of existing*  
16 *medical evidence (including service medical and*  
17 *treatment records) that results in the issuance of a*  
18 *memorandum rating.”.*

19 **SEC. 211. MODIFICATION OF AUTHORITIES FOR ENHANCED-**  
20 **USE LEASES OF REAL PROPERTY.**

21 *(a) SUPPORTIVE HOUSING DEFINED.—Section 8161 is*  
22 *amended by adding at the end the following new paragraph:*

23 “(3) *The term ‘supportive housing’ means hous-*  
24 *ing that engages tenants in on-site and community-*  
25 *based support services for veterans or their families*

1       *that are at risk of homelessness or are homeless. Such*  
2       *term may include the following:*

3               “(A) *Transitional housing.*

4               “(B) *Single-room occupancy.*

5               “(C) *Permanent housing.*

6               “(D) *Congregate living housing.*

7               “(E) *Independent living housing.*

8               “(F) *Assisted living housing.*

9               “(G) *Other modalities of housing.*”.

10       (b) *MODIFICATION OF LIMITATIONS ON ENHANCED*  
11 *USE LEASES.—*

12               (1) *IN GENERAL.—Paragraph (2) of section*  
13 *8162(a) is amended to read as follows:*

14               “(2) *The Secretary may enter into an enhanced-use*  
15 *lease only for the provision of supportive housing and the*  
16 *lease is not inconsistent with and will not adversely affect*  
17 *the mission of the Department.*”.

18               (2) *EFFECTIVE DATE.—*

19               (A) *IN GENERAL.—Paragraph (2) of section*  
20 *8162(a) of title 38, United States Code, as*  
21 *amended by paragraph (1), shall take effect on*  
22 *January 1, 2012, and shall apply with respect*  
23 *to enhanced-use leases entered into on or after*  
24 *such date.*

1           (B) *PREVIOUS LEASES.*—*Any enhanced-use*  
2           *lease that the Secretary has entered into prior to*  
3           *the date described in subparagraph (A) shall be*  
4           *subject to the provisions of subchapter V of chap-*  
5           *ter 81 of such title, as in effect on the day before*  
6           *the date of the enactment of this Act.*

7           (c) *CONSIDERATION FOR AND TERMS OF ENHANCED-*  
8           *USE LEASES.*—

9           (1) *IN GENERAL.*—*Section 8162(b) is amended—*

10           (A) *in paragraph (1), by striking “(A) If*  
11           *the Secretary” and all that follows through*  
12           *“under subparagraph (A).” and inserting the fol-*  
13           *lowing: “If the Secretary has determined that a*  
14           *property should be leased to another party*  
15           *through an enhanced-use lease, the Secretary*  
16           *shall, at the Secretary’s discretion, select the*  
17           *party with whom the lease will be entered into*  
18           *using such selection procedures as the Secretary*  
19           *considers appropriate.”;*

20           (B) *by amending paragraph (3) to read as*  
21           *follows:*

22           “(3)(A) *For any enhanced-use lease entered into by the*  
23           *Secretary, the lease consideration provided to the Secretary*  
24           *shall consist solely of cash at fair value as determined by*  
25           *the Secretary.*

1       “(B) *The Secretary shall receive no other type of con-*  
2 *sideration for an enhanced-use lease besides cash.*”

3       “(C) *The Secretary may enter into an enhanced-use*  
4 *lease without receiving consideration.*”;

5               (C) *in paragraph (4), by striking “Sec-*  
6 *retary to” and all that follows through “use*  
7 *minor” and inserting “Secretary to use minor”;*  
8 *and*

9               (D) *by adding at the end the following new*  
10 *paragraphs:*

11       “(5) *The terms of an enhanced-use lease may not pro-*  
12 *vide for any acquisition, contract, demonstration, exchange,*  
13 *grant, incentive, procurement, sale, other transaction au-*  
14 *thority, service agreement, use agreement, lease, or lease-*  
15 *back by the Secretary or Federal Government.*”

16       “(6) *The Secretary may not enter into an enhanced-*  
17 *use lease without certification in advance in writing by the*  
18 *Director of the Office of Management and Budget that such*  
19 *lease complies with the requirements of this subchapter.*”.

20               (2) *EFFECTIVE DATE.—Paragraph (3) of section*  
21 *8162(b), as amended by paragraph (1)(B) of this sub-*  
22 *section, shall take effect on January 1, 2012, and*  
23 *shall apply with respect to enhanced-use leases en-*  
24 *tered into on or after such date.*

1       (d) *PROHIBITED ENHANCED-USE LEASES.*—Section  
2 8162(c) is amended—

3           (1) by striking paragraph (2); and

4           (2) in paragraph (1), by striking “(1) Subject to  
5 paragraph (2), the” and inserting “The”.

6       (e) *DISPOSITION OF LEASED PROPERTY.*—Subsection  
7 (b) of section 8164 is amended to read as follows:

8           “(b) A disposition under this section may be made in  
9 return for cash at fair value as the Secretary determines  
10 is in the best interest of the United States and upon such  
11 other terms and conditions as the Secretary considers ap-  
12 propriate.”.

13       (f) *USE OF AMOUNTS RECEIVED FOR DISPOSITION OF*  
14 *LEASED PROPERTY.*—Section 8165(a)(2) is amended by  
15 striking “in the Department of Veterans Affairs Capital  
16 Asset Fund established under section 8118 of this title” and  
17 inserting “into the Department of Veterans Affairs Con-  
18 struction, Major Projects account or Construction, Minor  
19 Projects account, as the Secretary considers appropriate”.

20       (g) *CONSTRUCTION STANDARDS.*—Section 8166 is  
21 amended to read as follows:

22       **“§ 8166. Construction standards**

23           “The construction, alteration, repair, remodeling, or  
24 improvement of a property that is the subject of an en-  
25 hanced-use lease shall be carried out so as to comply with



1 *all applicable provisions of Federal, State, and local law*  
 2 *relating to land use, building standards, permits, and in-*  
 3 *spections.”.*

4 *(h) EXEMPTION FROM STATE AND LOCAL TAXES.—*  
 5 *Section 8167 is amended to read as follows:*

6 **“§ 8167. Exemption from State and local taxes**

7 *“(a) IMPROVEMENTS AND OPERATIONS NOT EXEMPT-*  
 8 *ED.—The improvements and operations on land leased by*  
 9 *a person with an enhanced-use lease from the Secretary*  
 10 *shall be subject to all applicable provisions of Federal,*  
 11 *State, or local law relating to taxation, fees, and assess-*  
 12 *ments.*

13 *“(b) UNDERLYING FEE TITLE INTEREST EXEMPT-*  
 14 *ED.—The underlying fee title interest of the United States*  
 15 *in any land subject to an enhanced-use lease shall not be*  
 16 *subject, directly or indirectly, to any provision of State or*  
 17 *local law relating to taxation, fees, or assessments.”.*

18 *(i) ANNUAL REPORTS.—*

19 *(1) IN GENERAL.—Subchapter V of chapter 81 is*  
 20 *amended by inserting after section 8167 the following*  
 21 *new section:*

22 **“§ 8168. Annual reports**

23 *“(a) REPORT ON ADMINISTRATION OF LEASES.—Not*  
 24 *later than 120 days after the date of the enactment of the*  
 25 *Honoring America’s Veterans and Caring for Camp*

1 *Lejeune Families Act of 2012 and not less frequently than*  
2 *once each year thereafter, the Secretary shall submit to Con-*  
3 *gress a report identifying the actions taken by the Secretary*  
4 *to implement and administer enhanced-use leases.*

5       “(b) *REPORT ON LEASE CONSIDERATION.*—*Each year,*  
6 *as part of the annual budget submission of the President*  
7 *to Congress under section 1105(a) of title 31, the Secretary*  
8 *shall submit to Congress a detailed report of the consider-*  
9 *ation received by the Secretary for each enhanced-use lease*  
10 *under this subchapter, along with an overview of how the*  
11 *Secretary is utilizing such consideration to support vet-*  
12 *erans.”.*

13       (2) *ELEMENTS OF INITIAL REPORT.*—*The first*  
14 *report submitted by the Secretary under section*  
15 *8168(a) of title 38, United States Code, as added by*  
16 *paragraph (1), shall include a summary of those*  
17 *measures the Secretary is taking to address the fol-*  
18 *lowing recommendations from the February 9, 2012,*  
19 *audit report of the Department of Veterans Affairs*  
20 *Office of Inspector General on enhanced-use leases*  
21 *under subchapter V of chapter 81 of title 38, United*  
22 *States Code:*

23               (A) *Improve standards to ensure complete*  
24 *lease agreements are negotiated in line with stra-*  
25 *tegic goals of the Department of Veterans Affairs.*

1           (B) Institute improved policies and proce-  
2           dures to govern activities such as monitoring en-  
3           hanced-use lease projects and calculating,  
4           classifying, and reporting on enhanced-use lease  
5           benefits and expenses.

6           (C) Recalculate and update enhanced-use  
7           lease expenses and benefits reported in the most  
8           recent *Enhanced-Use Lease Consideration Report*  
9           of the Department.

10          (D) Establish improved oversight mecha-  
11          nisms to ensure major enhanced-use lease project  
12          decisions are documented and maintained in ac-  
13          cordance with policy.

14          (E) Establish improved criteria to measure  
15          timeliness and performance in enhanced-use  
16          lease project development and execution.

17          (F) Establish improved criteria and guide-  
18          lines for assessing projects to determine whether  
19          they are or remain viable candidates for en-  
20          hanced-use leases.

21          (3) *CLERICAL AMENDMENT.*—The table of sec-  
22          tions at the beginning of chapter 81 is amended by  
23          inserting after the item relating to section 8167 the  
24          following new item:

“8168. *Annual reports.*”.

1       (j) *EXPIRATION OF AUTHORITY.*—Section 8169 is  
2 amended by striking “December 31, 2011” and inserting  
3 “December 31, 2023”.

4       (k) *EFFECTIVE DATE.*—Except as otherwise provided  
5 in this section, the amendments made by this section shall  
6 take effect on the date of the enactment of this Act.

## 7       **TITLE III—HOMELESS MATTERS**

### 8       **SEC. 301. ENHANCEMENT OF COMPREHENSIVE SERVICE** 9               **PROGRAMS.**

10       (a) *ENHANCEMENT OF GRANTS.*—Section 2011 is  
11 amended—

12               (1) in subsection (b)(1)(A), by striking “expan-  
13 sion, remodeling, or alteration of existing buildings,  
14 or acquisition of facilities,” and inserting “new con-  
15 struction of facilities, expansion, remodeling, or alter-  
16 ation of existing facilities, or acquisition of facili-  
17 ties,”; and

18               (2) in subsection (c)—

19                       (A) in the first sentence, by striking “A  
20 grant” and inserting “(1) A grant”;

21                       (B) in the second sentence of paragraph (1),  
22 as designated by subparagraph (A), by striking  
23 “The amount” and inserting the following:

24                               “(2) The amount”; and

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

3           “(3)(A) The Secretary may not deny an application  
4 from an entity that seeks a grant under this section to carry  
5 out a project described in subsection (b)(1)(A) solely on the  
6 basis that the entity proposes to use funding from other pri-  
7 vate or public sources, if the entity demonstrates that a pri-  
8 vate nonprofit organization will provide oversight and site  
9 control for the project.

10           “(B) In this paragraph, the term ‘private nonprofit  
11 organization’ means the following:

12                   “(i) An incorporated private institution, organi-  
13 zation, or foundation—

14                           “(I) that has received, or has temporary  
15 clearance to receive, tax-exempt status under  
16 paragraph (2), (3), or (19) of section 501(c) of  
17 the Internal Revenue Code of 1986;

18                           “(II) for which no part of the net earnings  
19 of the institution, organization, or foundation  
20 inures to the benefit of any member, founder, or  
21 contributor of the institution, organization, or  
22 foundation; and

23                           “(III) that the Secretary determines is fi-  
24 nancially responsible.

1           “(ii) *A for-profit limited partnership or limited*  
2 *liability company, the sole general partner or man-*  
3 *ager of which is an organization that is described by*  
4 *subclauses (I) through (III) of clause (i).*”

5           “(iii) *A corporation wholly owned and controlled*  
6 *by an organization that is described by subclauses (I)*  
7 *through (III) of clause (i).*”

8       **(b) GRANT AND PER DIEM PAYMENTS.—**

9           **(1) STUDY AND DEVELOPMENT OF FISCAL CON-**  
10 **TROLS AND PAYMENT METHOD.—***Not later than one*  
11 *year after the date of the enactment of this Act, the*  
12 *Secretary of Veterans Affairs shall—*

13           **(A)** *complete a study of all matters relating*  
14 *to the method used by the Secretary to make per*  
15 *diem payments under section 2012(a) of title 38,*  
16 *United States Code, including changes antici-*  
17 *ipated by the Secretary in the cost of furnishing*  
18 *services to homeless veterans and accounting for*  
19 *costs of providing such services in various geo-*  
20 *graphic areas;*

21           **(B)** *develop more effective and efficient pro-*  
22 *cedures for fiscal control and fund accounting by*  
23 *recipients of grants under sections 2011, 2012,*  
24 *and 2061 of such title; and*

1           (C) develop a more effective and efficient  
2           method for adequately reimbursing recipients of  
3           grants under section 2011 of such title for serv-  
4           ices furnished to homeless veterans.

5           (2) *CONSIDERATION.*—In developing the method  
6           required by paragraph (1)(C), the Secretary may con-  
7           sider payments and grants received by recipients of  
8           grants described in such paragraph from other de-  
9           partments and agencies of Federal and local govern-  
10          ments and from private entities.

11          (3) *REPORT.*—Not later than one year after the  
12          date of the enactment of this Act, the Secretary shall  
13          submit to Congress a report on—

14               (A) the findings of the Secretary with re-  
15               spect to the study required by subparagraph (A)  
16               of paragraph (1);

17               (B) the methods developed under subpara-  
18               graphs (B) and (C) of such paragraph; and

19               (C) any recommendations of the Secretary  
20               for revising the method described in subpara-  
21               graph (A) of such paragraph and any legislative  
22               action the Secretary considers necessary to im-  
23               plement such method.

1 **SEC. 302. MODIFICATION OF AUTHORITY FOR PROVISION**  
 2 **OF TREATMENT AND REHABILITATION TO**  
 3 **CERTAIN VETERANS TO INCLUDE PROVISION**  
 4 **OF TREATMENT AND REHABILITATION TO**  
 5 **HOMELESS VETERANS WHO ARE NOT SERI-**  
 6 **OUSLY MENTALLY ILL.**

7 *Section 2031(a) is amended in the matter before para-*  
 8 *graph (1) by striking “, including” and inserting “and to”.*

9 **SEC. 303. MODIFICATION OF GRANT PROGRAM FOR HOME-**  
 10 **LESS VETERANS WITH SPECIAL NEEDS.**

11 *(a) INCLUSION OF ENTITIES ELIGIBLE FOR COM-*  
 12 *PREHENSIVE SERVICE PROGRAM GRANTS AND PER DIEM*  
 13 *PAYMENTS FOR SERVICES TO HOMELESS VETERANS.—*  
 14 *Subsection (a) of section 2061 is amended—*

15 *(1) by striking “to grant and per diem pro-*  
 16 *viders” and inserting “to entities eligible for grants*  
 17 *and per diem payments under sections 2011 and*  
 18 *2012 of this title”; and*

19 *(2) by striking “by those facilities and pro-*  
 20 *viders” and inserting “by those facilities and enti-*  
 21 *ties”.*

22 *(b) INCLUSION OF MALE HOMELESS VETERANS WITH*  
 23 *MINOR DEPENDENTS.—Subsection (b) of such section is*  
 24 *amended—*

25 *(1) in paragraph (1), by striking “, including*  
 26 *women who have care of minor dependents”;*



1           (2) *in paragraph (3), by striking “or”;*

2           (3) *in paragraph (4), by striking the period at*  
3 *the end and inserting “; or”;* and

4           (4) *by adding at the end the following new para-*  
5 *graph:*

6           “(5) *individuals who have care of minor depend-*  
7 *ents.”.*

8           (c) *AUTHORIZATION OF PROVISION OF SERVICES TO*  
9 *DEPENDENTS.—Such section is further amended—*

10           (1) *by redesignating subsection (c) as subsection*  
11 *(d); and*

12           (2) *by inserting after subsection (b) the following*  
13 *new subsection (c):*

14           “(c) *PROVISION OF SERVICES TO DEPENDENTS.—A re-*  
15 *ipient of a grant under subsection (a) may use amounts*  
16 *under the grant to provide services directly to a dependent*  
17 *of a homeless veteran with special needs who is under the*  
18 *care of such homeless veteran while such homeless veteran*  
19 *receives services from the grant recipient under this sec-*  
20 *tion.”.*

21 **SEC. 304. COLLABORATION IN PROVISION OF CASE MAN-**  
22 **AGEMENT SERVICES TO HOMELESS VET-**  
23 **ERANS IN SUPPORTED HOUSING PROGRAM.**

24           (a) *IN GENERAL.—The Secretary of Veterans Affairs*  
25 *shall consider entering into contracts or agreements, under*

1 *sections 513 and 8153 of title 38, United States Code, with*  
2 *eligible entities to collaborate with the Secretary in the pro-*  
3 *vision of case management services to covered veterans as*  
4 *part of the supported housing program carried out under*  
5 *section 8(o)(19) of the United States Housing Act of 1937*  
6 *(42 U.S.C. 1437f(o)(19)) to ensure that the homeless vet-*  
7 *erans facing the most significant difficulties in obtaining*  
8 *suitable housing receive the assistance they require to obtain*  
9 *such housing.*

10 (b) *COVERED VETERANS.*—*For purposes of this sec-*  
11 *tion, a covered veteran is any veteran who, at the time of*  
12 *receipt of a housing voucher under such section 8(o)(19)—*

13 (1) *requires the assistance of a case manager in*  
14 *obtaining suitable housing with such voucher; and*

15 (2) *is having difficulty obtaining the amount of*  
16 *such assistance the veteran requires, including be-*  
17 *cause—*

18 (A) *the veteran resides in an area that has*  
19 *a shortage of low-income housing and because of*  
20 *such shortage the veteran requires more assist-*  
21 *ance from a case manager than the Secretary*  
22 *otherwise provides;*

23 (B) *the location in which the veteran resides*  
24 *is located at such distance from facilities of the*  
25 *Department of Veterans Affairs as makes the*

1           *provision of case management services by the*  
2           *Secretary to such veteran impractical; or*

3           (C) *the veteran resides in an area where*  
4           *veterans who receive case management services*  
5           *from the Secretary under such section have a sig-*  
6           *nificantly lower average rate of successfully ob-*  
7           *taining suitable housing than the average rate of*  
8           *successfully obtaining suitable housing for all*  
9           *veterans receiving such services.*

10          (c) *ELIGIBLE ENTITIES.—For purposes of this section,*  
11          *an eligible entity is any State or local government agency,*  
12          *tribal organization (as such term is defined in section 4*  
13          *of the Indian Self Determination and Education Assistance*  
14          *Act (25 U.S.C. 450b)), or nonprofit organization that—*

15                 (1) *under a contract or agreement described in*  
16                 *subsection (a), agrees—*

17                         (A) *to ensure access to case management*  
18                         *services by covered veterans on an as-needed*  
19                         *basis;*

20                         (B) *to maintain referral networks for cov-*  
21                         *ered veterans for purposes of assisting covered*  
22                         *veterans in demonstrating eligibility for assist-*  
23                         *ance and additional services under entitlement*  
24                         *and assistance programs available for covered*

1            *veterans, and to otherwise aid covered veterans*  
2            *in obtaining such assistance and services;*

3            *(C) to ensure the confidentiality of records*  
4            *maintained by the entity on covered veterans re-*  
5            *ceiving services through the supported housing*  
6            *program described in subsection (a);*

7            *(D) to establish such procedures for fiscal*  
8            *control and fund accounting as the Secretary of*  
9            *Veterans Affairs considers appropriate to ensure*  
10           *proper disbursement and accounting of funds*  
11           *under a contract or agreement entered into by*  
12           *the entity as described in subsection (a);*

13           *(E) to submit to the Secretary each year, in*  
14           *such form and such manner as the Secretary*  
15           *may require, a report on the collaboration un-*  
16           *dertaken by the entity under a contract or agree-*  
17           *ment described in such subsection during the*  
18           *most recent fiscal year, including a description*  
19           *of, for the year covered by the report—*

20                    *(i) the services and assistance provided*  
21                    *to covered veterans as part of such collabo-*  
22                    *ration;*

23                    *(ii) the process by which covered vet-*  
24                    *erans were referred to the entity for such*  
25                    *services and assistance;*

1                   (iii) the specific goals jointly set by the  
2                   entity and the Secretary for the provision of  
3                   such services and assistance and whether the  
4                   entity achieved such goals; and

5                   (iv) the average length of time taken by  
6                   a covered veteran who received such services  
7                   and assistance to successfully obtain suit-  
8                   able housing and the average retention rate  
9                   of such a veteran in such housing; and

10                  (F) to meet such other requirements as the  
11                  Secretary considers appropriate for purposes of  
12                  providing assistance to covered veterans in ob-  
13                  taining suitable housing; and

14                  (2) has demonstrated experience in—

15                   (A) identifying and serving homeless vet-  
16                   erans, especially those who have the greatest dif-  
17                   ficulty obtaining suitable housing;

18                   (B) working collaboratively with the De-  
19                   partment of Veterans Affairs or the Department  
20                   of Housing and Urban Development;

21                   (C) conducting outreach to, and maintain-  
22                   ing relationships with, landlords to encourage  
23                   and facilitate participation by landlords in sup-  
24                   ported housing programs similar to the sup-

1           ported housing program described in subsection  
2           (a);

3           (D) mediating disputes between landlords  
4           and veterans receiving assistance under such  
5           supported housing program; and

6           (E) carrying out such other activities as the  
7           Secretary of Veterans Affairs considers appro-  
8           priate.

9           (d) *CONSULTATION.*—In considering entering into con-  
10          tracts or agreements as described in subsection (a), the Sec-  
11          retary of Veterans Affairs shall consult with—

12           (1) the Secretary of Housing and Urban Devel-  
13          opment; and

14           (2) third parties that provide services as part of  
15          the Department of Housing and Urban Development  
16          continuum of care.

17          (e) *TECHNICAL ASSISTANCE FOR COLLABORATING EN-*  
18          *TITIES.*—

19           (1) *IN GENERAL.*—The Secretary may provide  
20          training and technical assistance to entities with  
21          whom the Secretary collaborates in the provision of  
22          case management services to veterans as part of the  
23          supported housing program described in subsection  
24          (a).

1           (2) *GRANTS.*—*The Secretary may provide train-*  
2           *ing and technical assistance under paragraph (1)*  
3           *through the award of grants or contracts to appro-*  
4           *priate public and nonprofit private entities.*

5           (3) *FUNDING.*—*From amounts appropriated or*  
6           *otherwise made available to the Secretary in the Med-*  
7           *ical Services account in a year, \$500,000 shall be*  
8           *available to the Secretary in that year to carry out*  
9           *this subsection.*

10          (f) *ANNUAL REPORT.*—

11           (1) *IN GENERAL.*—*Not later than 545 days after*  
12           *the date of the enactment of this Act and not less fre-*  
13           *quently than once each year thereafter, the Secretary*  
14           *of Veterans Affairs shall submit to Congress a report*  
15           *on the collaboration between the Secretary and eligi-*  
16           *ble entities in the provision of case management serv-*  
17           *ices as described in subsection (a) during the most re-*  
18           *cently completed fiscal year.*

19           (2) *ELEMENTS.*—*Each report required by para-*  
20           *graph (1) shall include, for the period covered by the*  
21           *report, the following:*

22                   (A) *A discussion of each case in which a*  
23                   *contract or agreement described in subsection (a)*  
24                   *was considered by the Secretary, including a de-*  
25                   *scription of whether or not and why the Sec-*

1            *retary chose or did not choose to enter into such*  
2            *contract or agreement.*

3            *(B) The number and types of eligible enti-*  
4            *ties with whom the Secretary has entered into a*  
5            *contract or agreement as described in subsection*  
6            *(a).*

7            *(C) A description of the geographic regions*  
8            *in which such entities provide case management*  
9            *services as described in such subsection.*

10           *(D) A description of the number and types*  
11           *of covered veterans who received case manage-*  
12           *ment services from such entities under such con-*  
13           *tracts or agreements.*

14           *(E) An assessment of the performance of*  
15           *each eligible entity with whom the Secretary en-*  
16           *tered into a contract or agreement as described*  
17           *in subsection (a).*

18           *(F) An assessment of the benefits to covered*  
19           *veterans of such contracts and agreements.*

20           *(G) A discussion of the benefits of increas-*  
21           *ing the ratio of case managers to recipients of*  
22           *vouchers under the supported housing program*  
23           *described in such subsection to veterans who re-*  
24           *side in rural areas.*



1           (H) *Such recommendations for legislative or*  
2           *administrative action as the Secretary considers*  
3           *appropriate for the improvement of collaboration*  
4           *in the provision of case management services*  
5           *under such supported housing program.*

6 **SEC. 305. EXTENSIONS OF PREVIOUSLY FULLY FUNDED AU-**  
7           **THORITIES AFFECTING HOMELESS VET-**  
8           **ERANS.**

9           (a) *COMPREHENSIVE SERVICE PROGRAMS.—Section*  
10          *2013 is amended by striking paragraph (5) and inserting*  
11          *the following new paragraphs:*

12                   “(5) \$250,000,000 for fiscal year 2013.

13                   “(6) \$150,000,000 for fiscal year 2014 and each  
14                   subsequent fiscal year.”.

15           (b) *HOMELESS VETERANS REINTEGRATION PRO-*  
16          *GRAMS.—Section 2021(e)(1)(F) is amended by striking*  
17          *“2012” and inserting “2013”.*

18           (c) *FINANCIAL ASSISTANCE FOR SUPPORTIVE SERV-*  
19          *ICES FOR VERY LOW-INCOME VETERAN FAMILIES IN PER-*  
20          *MANENT HOUSING.—Section 2044(e)(1) is amended by add-*  
21          *ing at the end the following new subparagraph:*

22                   “(E) \$300,000,000 for fiscal year 2013.”.

23           (d) *GRANT PROGRAM FOR HOMELESS VETERANS*  
24          *WITH SPECIAL NEEDS.—Section 2061(c)(1) is amended by*  
25          *striking “through 2012” and inserting “through 2013”.*

1 **TITLE IV—EDUCATION MATTERS**

2 **SEC. 401. AGGREGATE AMOUNT OF EDUCATIONAL ASSIST-**  
3 **ANCE AVAILABLE TO INDIVIDUALS WHO RE-**  
4 **CEIVE BOTH SURVIVORS' AND DEPENDENTS'**  
5 **EDUCATIONAL ASSISTANCE AND OTHER VET-**  
6 **ERANS AND RELATED EDUCATIONAL ASSIST-**  
7 **ANCE.**

8 (a) *AGGREGATE AMOUNT AVAILABLE.*—Section 3695  
9 *is amended—*

10 (1) *in subsection (a)(4), by striking “35,”; and*

11 (2) *by adding at the end the following new sub-*  
12 *section:*

13 “(c) *The aggregate period for which any person may*  
14 *receive assistance under chapter 35 of this title, on the one*  
15 *hand, and any of the provisions of law referred to in sub-*  
16 *section (a), on the other hand, may not exceed 81 months*  
17 *(or the part-time equivalent thereof).”.*

18 (b) *APPLICABILITY.*—*The amendment made by sub-*  
19 *section (a) shall take effect on October 1, 2013, and shall*  
20 *not operate to revive any entitlement to assistance under*  
21 *chapter 35 of title 38, United States Code, or the provisions*  
22 *of law referred to in section 3695(a) of such title, as in*  
23 *effect on the day before such date, that was terminated by*  
24 *reason of the operation of section 3695(a) of such title, as*  
25 *so in effect, before such date.*

1       (c) *REVIVAL OF ENTITLEMENT REDUCED BY PRIOR*  
2 *UTILIZATION OF CHAPTER 35 ASSISTANCE.*—

3           (1) *IN GENERAL.*—Subject to paragraph (2), in  
4 the case of an individual whose period of entitlement  
5 to assistance under a provision of law referred to in  
6 section 3695(a) of title 38, United States Code (other  
7 than chapter 35 of such title), as in effect on Sep-  
8 tember 30, 2013, was reduced under such section  
9 3695(a), as so in effect, by reason of the utilization  
10 of entitlement to assistance under chapter 35 of such  
11 title before October 1, 2013, the period of entitlement  
12 to assistance of such individual under such provision  
13 shall be determined without regard to any entitlement  
14 so utilized by the individual under chapter 35 of such  
15 title.

16           (2) *LIMITATION.*—The maximum period of enti-  
17 tlement to assistance of an individual under para-  
18 graph (1) may not exceed 81 months.

19 **SEC. 402. ANNUAL REPORTS ON POST-9/11 EDUCATIONAL**  
20 **ASSISTANCE PROGRAM AND SURVIVORS' AND**  
21 **DEPENDENTS' EDUCATIONAL ASSISTANCE**  
22 **PROGRAM.**

23       (a) *REPORTS REQUIRED.*—

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

4   **“§ 3325. Reporting requirement**

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

6                   “(1) *the Secretary of Defense shall submit to*  
7                   *Congress a report on the operation of the program*  
8                   *provided for in this chapter; and*

9                   “(2) *the Secretary shall submit to Congress a re-*  
10                   *port on the operation of the program provided for in*  
11                   *this chapter and the program provided for under*  
12                   *chapter 35 of this title.*

13           “(b) *CONTENTS OF SECRETARY OF DEFENSE RE-*  
14           *PORTS.*—*The Secretary of Defense shall include in each re-*  
15           *port submitted under this section—*

16                   “(1) *information—*

17                           “(A) *indicating the extent to which the ben-*  
18                           *efit levels provided under this chapter are ade-*  
19                           *quate to achieve the purposes of inducing indi-*  
20                           *viduals to enter and remain in the Armed Forces*  
21                           *and of providing an adequate level of financial*  
22                           *assistance to help meet the cost of pursuing a*  
23                           *program of education;*

24                           “(B) *indicating whether it is necessary for*  
25                           *the purposes of maintaining adequate levels of*

1           *well-qualified active-duty personnel in the*  
2           *Armed Forces to continue to offer the oppor-*  
3           *tunity for educational assistance under this*  
4           *chapter to individuals who have not yet entered*  
5           *active-duty service; and*

6           “(C) *describing the efforts under section*  
7           *3323(b) of this title to inform members of the*  
8           *Armed Forces of the active duty service require-*  
9           *ments for entitlement to educational assistance*  
10          *under this chapter and the results from such ef-*  
11          *forts; and*

12          “(2) *such recommendations for administrative*  
13          *and legislative changes regarding the provision of*  
14          *educational assistance to members of the Armed*  
15          *Forces and veterans, and their dependents, as the Sec-*  
16          *retary of Defense considers appropriate.*

17          “(c) *CONTENTS OF SECRETARY OF VETERANS AFFAIRS*  
18          *REPORTS.—The Secretary shall include in each report sub-*  
19          *mitted under this section—*

20                 “(1) *information concerning the level of utiliza-*  
21                 *tion of educational assistance and of expenditures*  
22                 *under this chapter and under chapter 35 of this title;*

23                 “(2) *appropriate student outcome measures, such*  
24                 *as the number of credit hours, certificates, degrees,*  
25                 *and other qualifications earned by beneficiaries under*

1       *this chapter and chapter 35 of this title during the*  
2       *academic year covered by the report; and*

3               “(3) *such recommendations for administrative*  
4       *and legislative changes regarding the provision of*  
5       *educational assistance to members of the Armed*  
6       *Forces and veterans, and their dependents, as the Sec-*  
7       *retary considers appropriate.*

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

10              (2) *CLERICAL AMENDMENT.*—*The table of sec-*  
11       *tions at the beginning of such chapter is amended by*  
12       *inserting after the item relating to section 3324 the*  
13       *following new item:*

      “3325. *Reporting requirement.*”.

14              (3) *DEADLINE FOR SUBMITTAL OF FIRST RE-*  
15       *PORT.*—*The first reports required under section 3325*  
16       *of title 38, United States Code, as added by para-*  
17       *graph (1), shall be submitted by not later than No-*  
18       *vember 1, 2013.*

19              (b) *REPEAL OF REPORT ON ALL VOLUNTEER-FORCE*  
20       *EDUCATIONAL ASSISTANCE PROGRAM.*—

21              (1) *IN GENERAL.*—*Chapter 30 is amended by*  
22       *striking section 3036.*

23              (2) *CLERICAL AMENDMENT.*—*The table of sec-*  
24       *tions at the beginning of such chapter is amended by*  
25       *striking the item relating to section 3036.*

1     **TITLE V—BENEFITS MATTERS**

2     **SEC. 501. AUTOMATIC WAIVER OF AGENCY OF ORIGINAL JU-**  
3             **RISDICTION REVIEW OF NEW EVIDENCE.**

4             (a) *IN GENERAL.*—Section 7105 is amended by adding  
5     *at the end the following new subsection:*

6             “(e)(1) *If, either at the time or after the agency of*  
7     *original jurisdiction receives a substantive appeal, the*  
8     *claimant or the claimant’s representative, if any, submits*  
9     *evidence to either the agency of original jurisdiction or the*  
10    *Board of Veterans’ Appeals for consideration in connection*  
11    *with the issue or issues with which disagreement has been*  
12    *expressed, such evidence shall be subject to initial review*  
13    *by the Board unless the claimant or the claimant’s rep-*  
14    *resentative, as the case may be, requests in writing that*  
15    *the agency of original jurisdiction initially review such evi-*  
16    *dence.*”

17            “(2) *A request for review of evidence under paragraph*  
18    *(1) shall accompany the submittal of the evidence.*”

19            (b) *EFFECTIVE DATE.*—Subsection (e) of such section,  
20    *as added by subsection (a), shall take effect on the date that*  
21    *is 180 days after the date of the enactment of this Act, and*  
22    *shall apply with respect to claims for which a substantive*  
23    *appeal is filed on or after the date that is 180 days after*  
24    *the date of the enactment of this Act.*

1 **SEC. 502. AUTHORITY FOR CERTAIN PERSONS TO SIGN**  
2 **CLAIMS FILED WITH SECRETARY OF VET-**  
3 **ERANS AFFAIRS ON BEHALF OF CLAIMANTS.**

4 *(a) IN GENERAL.—Section 5101 is amended—*

5 *(1) in subsection (a)—*

6 *(A) by striking “A specific” and inserting*

7 *“(1) A specific”; and*

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

10 *“(2) If an individual has not attained the age of 18*  
11 *years, is mentally incompetent, or is physically unable to*  
12 *sign a form, a form filed under paragraph (1) for the indi-*  
13 *vidual may be signed by a court-appointed representative,*  
14 *a person who is responsible for the care of the individual,*  
15 *including a spouse or other relative, or an attorney in fact*  
16 *or agent authorized to act on behalf of the individual under*  
17 *a durable power of attorney. If the individual is in the care*  
18 *of an institution, the manager or principal officer of the*  
19 *institution may sign the form.”;*

20 *(2) in subsection (c)—*

21 *(A) in paragraph (1)—*

22 *(i) by inserting “, signs a form on be-*  
23 *half of an individual to apply for,” after*  
24 *“who applies for”;*



1                   (ii) by inserting “, or TIN in the case  
2                   that the person is not an individual,” after  
3                   “of such person”; and

4                   (iii) by striking “dependent” and in-  
5                   serting “claimant, dependent,”; and

6                   (B) in paragraph (2), by inserting “or  
7                   TIN” after “social security number” each place  
8                   it appears; and

9                   (3) by adding at the end the following new sub-  
10                  section:

11               “(d) In this section:

12                   “(1) The term ‘mentally incompetent’ with re-  
13                   spect to an individual means that the individual  
14                   lacks the mental capacity—

15                           “(A) to provide substantially accurate infor-  
16                           mation needed to complete a form; or

17                           “(B) to certify that the statements made on  
18                           a form are true and complete.

19                   “(2) The term ‘TIN’ has the meaning given the  
20                   term in section 7701(a)(41) of the Internal Revenue  
21                   Code of 1986.”.

22               (b) *APPLICABILITY.*—The amendments made by sub-  
23               section (a) shall apply with respect to claims filed on or  
24               after the date of the enactment of this Act.

1 **SEC. 503. IMPROVEMENT OF PROCESS FOR FILING JOINTLY**  
2 **FOR SOCIAL SECURITY AND DEPENDENCY**  
3 **AND INDEMNITY COMPENSATION.**

4 *Section 5105 is amended—*

5 *(1) in subsection (a)—*

6 *(A) by striking “shall” the first place it ap-*  
7 *pears and inserting “may”; and*

8 *(B) by striking “Each such form” and in-*  
9 *serting “Such forms”; and*

10 *(2) in subsection (b), by striking “on such a*  
11 *form” and inserting “on any document indicating an*  
12 *intent to apply for survivor benefits”.*

13 **SEC. 504. AUTHORIZATION OF USE OF ELECTRONIC COM-**  
14 **MUNICATION TO PROVIDE NOTICE TO CLAIM-**  
15 **ANTS FOR BENEFITS UNDER LAWS ADMINIS-**  
16 **TERED BY THE SECRETARY OF VETERANS AF-**  
17 **FAIRS.**

18 *(a) IN GENERAL.—Section 5103 is amended—*

19 *(1) in subsection (a)(1)—*

20 *(A) by striking “Upon receipt of a complete*  
21 *or substantially complete application, the” and*  
22 *inserting “The”;*

23 *(B) by striking “notify” and inserting*  
24 *“provide to”; and*

25 *(C) by inserting “by the most effective*  
26 *means available, including electronic commu-*

1            *nication or notification in writing, notice” be-*  
2            *fore “of any information”; and*

3            *(2) in subsection (b), by adding at the end the*  
4            *following new paragraphs:*

5            *“(4) Nothing in this section shall require the Secretary*  
6            *to provide notice for a subsequent claim that is filed while*  
7            *a previous claim is pending if the notice previously pro-*  
8            *vided for such pending claim—*

9            *“(A) provides sufficient notice of the information*  
10           *and evidence necessary to substantiate such subse-*  
11           *quent claim; and*

12           *“(B) was sent within one year of the date on*  
13           *which the subsequent claim was filed.*

14           *“(5)(A) This section shall not apply to any claim or*  
15           *issue where the Secretary may award the maximum benefit*  
16           *in accordance with this title based on the evidence of record.*

17           *“(B) For purposes of this paragraph, the term ‘max-*  
18           *imum benefit’ means the highest evaluation assignable in*  
19           *accordance with the evidence of record, as long as such evi-*  
20           *dence is adequate for rating purposes and sufficient to*  
21           *grant the earliest possible effective date in accordance with*  
22           *section 5110 of this title.”.*

23           *(b) CONSTRUCTION.—Nothing in the amendments*  
24           *made by subsection (a) shall be construed as eliminating*  
25           *any requirement with respect to the contents of a notice*

1 *under section 5103 of title 38, United States Code, that is*  
2 *required under regulations prescribed pursuant to sub-*  
3 *section (a)(2) of such section as of the date of the enactment*  
4 *of this Act.*

5 *(c) EFFECTIVE DATE.—*

6 *(1) IN GENERAL.—The amendments made by*  
7 *subsection (a) shall take effect on the date that is 180*  
8 *days after the date of the enactment of this Act and*  
9 *shall apply with respect to notification obligations of*  
10 *the Secretary of Veterans Affairs on or after such*  
11 *date.*

12 *(2) CONSTRUCTION REGARDING APPLICA-*  
13 *BILITY.—Nothing in this section or the amendments*  
14 *made by this section shall be construed to require the*  
15 *Secretary to carry out notification procedures in ac-*  
16 *cordance with requirements of section 5103 of title 38,*  
17 *United States Code, as in effect on the day before the*  
18 *effective date established in paragraph (1) on or after*  
19 *such effective date.*

20 **SEC. 505. DUTY TO ASSIST CLAIMANTS IN OBTAINING PRI-**  
21 **VATE RECORDS.**

22 *(a) IN GENERAL.—Subsection (b) of section 5103A is*  
23 *amended to read as follows:*

24 *“(b) ASSISTANCE IN OBTAINING PRIVATE RECORDS.—*

25 *(1) As part of the assistance provided under subsection (a),*

1 *the Secretary shall make reasonable efforts to obtain rel-*  
2 *evant private records that the claimant adequately identi-*  
3 *fies to the Secretary.*

4       “(2)(A) *Whenever the Secretary, after making such*  
5 *reasonable efforts, is unable to obtain all of the relevant*  
6 *records sought, the Secretary shall notify the claimant that*  
7 *the Secretary is unable to obtain records with respect to*  
8 *the claim. Such a notification shall—*

9               “(i) *identify the records the Secretary is unable*  
10 *to obtain;*

11               “(ii) *briefly explain the efforts that the Secretary*  
12 *made to obtain such records; and*

13               “(iii) *explain that the Secretary will decide the*  
14 *claim based on the evidence of record but that this*  
15 *section does not prohibit the submission of records at*  
16 *a later date if such submission is otherwise allowed.*

17       “(B) *The Secretary shall make not less than two re-*  
18 *quests to a custodian of a private record in order for an*  
19 *effort to obtain relevant private records to be treated as rea-*  
20 *sonable under this section, unless it is made evident by the*  
21 *first request that a second request would be futile in obtain-*  
22 *ing such records.*

23       “(3)(A) *This section shall not apply if the evidence of*  
24 *record allows for the Secretary to award the maximum ben-*

1 *efit in accordance with this title based on the evidence of*  
2 *record.*

3       “(B) *For purposes of this paragraph, the term ‘max-*  
4 *imum benefit’ means the highest evaluation assignable in*  
5 *accordance with the evidence of record, as long as such evi-*  
6 *dence is adequate for rating purposes and sufficient to*  
7 *grant the earliest possible effective date in accordance with*  
8 *section 5110 of this title.*

9       “(4) *Under regulations prescribed by the Secretary, the*  
10 *Secretary—*

11           “(A) *shall encourage claimants to submit rel-*  
12 *evant private medical records of the claimant to the*  
13 *Secretary if such submission does not burden the*  
14 *claimant; and*

15           “(B) *in obtaining relevant private records under*  
16 *paragraph (1), may require the claimant to authorize*  
17 *the Secretary to obtain such records if such authoriza-*  
18 *tion is required to comply with Federal, State, or*  
19 *local law.”.*

20       “(b) *PUBLIC RECORDS.—Subsection (c) of such section*  
21 *is amended to read as follows:*

22           “(c) *OBTAINING RECORDS FOR COMPENSATION*  
23 *CLAIMS.—(1) In the case of a claim for disability com-*  
24 *ensation, the assistance provided by the Secretary under*

1 *this section shall include obtaining the following records if*  
2 *relevant to the claim:*

3           “(A) *The claimant’s service medical records and,*  
4 *if the claimant has furnished the Secretary informa-*  
5 *tion sufficient to locate such records, other relevant*  
6 *records pertaining to the claimant’s active military,*  
7 *naval, or air service that are held or maintained by*  
8 *a governmental entity.*

9           “(B) *Records of relevant medical treatment or*  
10 *examination of the claimant at Department health-*  
11 *care facilities or at the expense of the Department, if*  
12 *the claimant furnishes information sufficient to locate*  
13 *those records.*

14           “(C) *Any other relevant records held by any Fed-*  
15 *eral department or agency that the claimant ade-*  
16 *quately identifies and authorizes the Secretary to ob-*  
17 *tain.*

18           “(2) *Whenever the Secretary attempts to obtain records*  
19 *from a Federal department or agency under this subsection,*  
20 *the efforts to obtain those records shall continue until the*  
21 *records are obtained unless it is reasonably certain that*  
22 *such records do not exist or that further efforts to obtain*  
23 *those records would be futile.”.*

24           (c) *EFFECTIVE DATE.—*

1           (1) *IN GENERAL.*—*The amendments made by*  
2           *subsections (a) and (b) shall take effect on the date*  
3           *that is 180 days after the date of the enactment of*  
4           *this Act and shall apply with respect to assistance ob-*  
5           *ligations of the Secretary of Veterans Affairs on or*  
6           *after such date.*

7           (2) *CONSTRUCTION.*—*Nothing in this section or*  
8           *the amendments made by this section shall be con-*  
9           *strued to require the Secretary to carry out assistance*  
10          *in accordance with requirements of section 5103A of*  
11          *title 38, United States Code, as in effect on the day*  
12          *before the effective date established in paragraph (1)*  
13          *on or after such effective date.*

14 **SEC. 506. AUTHORITY FOR RETROACTIVE EFFECTIVE DATE**  
15                   **FOR AWARDS OF DISABILITY COMPENSATION**  
16                   **IN CONNECTION WITH APPLICATIONS THAT**  
17                   **ARE FULLY-DEVELOPED AT SUBMITTAL.**

18          *Section 5110(b) is amended—*

19           (1) *by redesignating paragraphs (2) and (3) as*  
20           *paragraphs (3) and (4), respectively; and*

21           (2) *by inserting after paragraph (1) the fol-*  
22           *lowing new paragraph (2):*

23          “(2)(A) *The effective date of an award of disability*  
24          *compensation to a veteran who submits an application*  
25          *therefor that sets forth an original claim that is fully-devel-*



1 *oped (as determined by the Secretary) as of the date of sub-*  
 2 *mittal shall be fixed in accordance with the facts found,*  
 3 *but shall not be earlier than the date that is one year before*  
 4 *the date of receipt of the application.*

5       “(B) *For purposes of this paragraph, an original*  
 6 *claim is an initial claim filed by a veteran for disability*  
 7 *compensation.*

8       “(C) *This paragraph shall take effect on the date that*  
 9 *is one year after the date of the enactment of the Honoring*  
 10 *America’s Veterans and Caring for Camp Lejeune Families*  
 11 *Act of 2012 and shall not apply with respect to claims filed*  
 12 *after the date that is three years after the date of the enact-*  
 13 *ment of such Act.”.*

14 **SEC. 507. MODIFICATION OF MONTH OF DEATH BENEFIT**  
 15                   **FOR SURVIVING SPOUSES OF VETERANS WHO**  
 16                   **DIE WHILE ENTITLED TO COMPENSATION OR**  
 17                   **PENSION.**

18       (a) *SURVIVING SPOUSE BENEFIT FOR MONTH OF VET-*  
 19 *ERAN’S DEATH.*—*Subsections (a) and (b) of section 5310*  
 20 *are amended to read as follows:*

21       “(a) *IN GENERAL.*—(1) *A surviving spouse of a vet-*  
 22 *eran is entitled to a benefit for the month of the veteran’s*  
 23 *death if—*

1           “(A) at the time of the veteran’s death, the vet-  
2           eran was receiving compensation or pension under  
3           chapter 11 or 15 of this title; or

4           “(B) the veteran is determined for purposes of  
5           section 5121 or 5121A of this title as having been en-  
6           titled to receive compensation or pension under chap-  
7           ter 11 or 15 of this title for the month of the veteran’s  
8           death.

9           “(2) The amount of the benefit under paragraph (1)  
10          is the amount that the veteran would have received under  
11          chapter 11 or 15 of this title, as the case may be, for the  
12          month of the veteran’s death had the veteran not died.

13          “(b) CLAIMS PENDING ADJUDICATION.—If a claim for  
14          entitlement to compensation or additional compensation  
15          under chapter 11 of this title or pension or additional pen-  
16          sion under chapter 15 of this title is pending at the time  
17          of a veteran’s death and the check or other payment issued  
18          to the veteran’s surviving spouse under subsection (a) is less  
19          than the amount of the benefit the veteran would have been  
20          entitled to for the month of death pursuant to the adjudica-  
21          tion of the pending claim, an amount equal to the difference  
22          between the amount to which the veteran would have been  
23          entitled to receive under chapter 11 or 15 of this title for  
24          the month of the veteran’s death had the veteran not died  
25          and the amount of the check or other payment issued to

1 *the surviving spouse shall be treated in the same manner*  
2 *as an accrued benefit under section 5121 of this title.”.*

3       **(b) MONTH OF DEATH BENEFIT EXEMPT FROM DE-**  
4 **LAYED COMMENCEMENT OF PAYMENT.**—*Section 5111(c)(1)*  
5 *is amended by striking “apply to” and all that follows*  
6 *through “death occurred” and inserting the following: “not*  
7 *apply to payments made pursuant to section 5310 of this*  
8 *title”.*

9       **(c) EFFECTIVE DATE.**—*The amendments made by this*  
10 *section shall take effect on the date of the enactment of this*  
11 *Act, and shall apply with respect to deaths that occur on*  
12 *or after that date.*

13 **SEC. 508. INCREASE IN RATE OF PENSION FOR DISABLED**  
14 **VETERANS MARRIED TO ONE ANOTHER AND**  
15 **BOTH OF WHOM REQUIRE REGULAR AID AND**  
16 **ATTENDANCE.**

17       **(a) IN GENERAL.**—*Section 1521(f)(2) is amended by*  
18 *striking “\$30,480” and inserting “\$32,433”.*

19       **(b) EFFECTIVE DATE.**—*The amendment made by sub-*  
20 *section (a) shall take effect on the date of the enactment*  
21 *of this Act.*

1 **SEC. 509. EXCLUSION OF CERTAIN REIMBURSEMENTS OF**  
2 **EXPENSES FROM DETERMINATION OF AN-**  
3 **NUAL INCOME WITH RESPECT TO PENSIONS**  
4 **FOR VETERANS AND SURVIVING SPOUSES**  
5 **AND CHILDREN OF VETERANS.**

6 (a) *IN GENERAL.*—Paragraph (5) of section 1503(a)  
7 of title 38, United States Code, is amended to read as fol-  
8 lows:

9 “(5) payments regarding reimbursements of any  
10 kind (including insurance settlement payments) for  
11 expenses related to the repayment, replacement, or re-  
12 pair of equipment, vehicles, items, money, or property  
13 resulting from—

14 “(A) any accident (as defined by the Sec-  
15 retary), but the amount excluded under this sub-  
16 clause shall not exceed the greater of the fair  
17 market value or reasonable replacement value of  
18 the equipment or vehicle involved at the time im-  
19 mediately preceding the accident;

20 “(B) any theft or loss (as defined by the  
21 Secretary), but the amount excluded under this  
22 subclause shall not exceed the greater of the fair  
23 market value or reasonable replacement value of  
24 the item or the amount of the money (including  
25 legal tender of the United States or of a foreign

1 country) involved at the time immediately pre-  
 2 ceding the theft or loss; or

3 “(C) any casualty loss (as defined by the  
 4 Secretary), but the amount excluded under this  
 5 subclause shall not exceed the greater of the fair  
 6 market value or reasonable replacement value of  
 7 the property involved at the time immediately  
 8 preceding the casualty loss;”.

9 (b) *EFFECTIVE DATE.*—The amendment made by sub-  
 10 section (a) shall take effect on the date that is 180 days  
 11 after the date of the enactment of this Act.

## 12 **TITLE VI—MEMORIAL, BURIAL,** 13 **AND CEMETERY MATTERS**

### 14 **SEC. 601. PROHIBITION ON DISRUPTIONS OF FUNERALS OF** 15 **MEMBERS OR FORMER MEMBERS OF THE** 16 **ARMED FORCES.**

17 (a) *PURPOSE AND AUTHORITY.*—

18 (1) *PURPOSE.*—The purpose of this section is to  
 19 provide necessary and proper support for the recruit-  
 20 ment and retention of the Armed Forces and militia  
 21 employed in the service of the United States by pro-  
 22 tecting the dignity of the service of the members of  
 23 such Forces and militia, and by protecting the pri-  
 24 vacy of their immediate family members and other  
 25 attendees during funeral services for such members.

1           (2) *CONSTITUTIONAL AUTHORITY.*—Congress  
2     *finds that this section is a necessary and proper exer-*  
3     *cise of its powers under the Constitution, article I,*  
4     *section 8, paragraphs 1, 12, 13, 14, 16, and 18, to*  
5     *provide for the common defense, raise and support ar-*  
6     *mies, provide and maintain a navy, make rules for*  
7     *the government and regulation of the land and naval*  
8     *forces, and provide for organizing and governing such*  
9     *part of the militia as may be employed in the service*  
10    *of the United States.*

11       (b) *AMENDMENT TO TITLE 18.*—Section 1388 of title  
12 18, *United States Code*, is amended to read as follows:

13    “**§1388. Prohibition on disruptions of funerals of**  
14                    **members or former members of the Armed**  
15                    **Forces**

16       “(a) *PROHIBITION.*—For any funeral of a member or  
17 former member of the *Armed Forces* that is not located at  
18 a cemetery under the control of the *National Cemetery Ad-*  
19 *ministration* or part of *Arlington National Cemetery*, it  
20 shall be unlawful for any person to engage in an activity  
21 during the period beginning 120 minutes before and ending  
22 120 minutes after such funeral, any part of which activ-  
23 ity—

1           “(1)(A) takes place within the boundaries of the  
2 location of such funeral or takes place within 300 feet  
3 of the point of the intersection between—

4           “(i) the boundary of the location of such fu-  
5 neral; and

6           “(ii) a road, pathway, or other route of in-  
7 gress to or egress from the location of such fu-  
8 neral; and

9           “(B) includes any individual willfully making  
10 or assisting in the making of any noise or diver-  
11 sion—

12           “(i) that is not part of such funeral and  
13 that disturbs or tends to disturb the peace or  
14 good order of such funeral; and

15           “(ii) with the intent of disturbing the peace  
16 or good order of such funeral;

17           “(2)(A) is within 500 feet of the boundary of the  
18 location of such funeral; and

19           “(B) includes any individual—

20           “(i) willfully and without proper authoriza-  
21 tion impeding or tending to impede the access to  
22 or egress from such location; and

23           “(ii) with the intent to impede the access to  
24 or egress from such location; or

1           “(3) is on or near the boundary of the residence,  
2           home, or domicile of any surviving member of the de-  
3           ceased person’s immediate family and includes any  
4           individual willfully making or assisting in the mak-  
5           ing of any noise or diversion—

6                   “(A) that disturbs or tends to disturb the  
7                   peace of the persons located at such location; and

8                   “(B) with the intent of disturbing such  
9                   peace.

10           “(b) *PENALTY.*—Any person who violates subsection  
11 (a) shall be fined under this title or imprisoned for not more  
12 than 1 year, or both.

13           “(c) *CIVIL REMEDIES.*—

14                   “(1) *DISTRICT COURTS.*—The district courts of  
15 the United States shall have jurisdiction—

16                   “(A) to prevent and restrain violations of  
17 this section; and

18                   “(B) for the adjudication of any claims for  
19 relief under this section.

20                   “(2) *ATTORNEY GENERAL.*—The Attorney Gen-  
21 eral may institute proceedings under this section.

22                   “(3) *CLAIMS.*—Any person, including a sur-  
23 viving member of the deceased person’s immediate  
24 family, who suffers injury as a result of conduct that  
25 violates this section may—



1           “(A) sue therefor in any appropriate  
2           United States district court or in any court of  
3           competent jurisdiction; and

4           “(B) recover damages as provided in sub-  
5           section (d) and the cost of the suit, including  
6           reasonable attorneys’ fees.

7           “(4) *ESTOPPEL*.—A final judgment or decree  
8           rendered in favor of the United States in any crimi-  
9           nal proceeding brought by the United States under  
10          this section shall estop the defendant from denying the  
11          essential allegations of the criminal offense in any  
12          subsequent civil proceeding brought by a person or by  
13          the United States.

14          “(d) *ACTUAL AND STATUTORY DAMAGES*.—

15                 “(1) *IN GENERAL*.—In addition to any penalty  
16                 imposed under subsection (b), a violator of this sec-  
17                 tion is liable in an action under subsection (c) for ac-  
18                 tual or statutory damages as provided in this sub-  
19                 section.

20                 “(2) *ACTIONS BY PRIVATE PERSONS*.—A person  
21                 bringing an action under subsection (c)(3) may elect,  
22                 at any time before final judgment is rendered, to re-  
23                 cover the actual damages suffered by him or her as  
24                 a result of the violation or, instead of actual damages,

1        *an award of statutory damages for each violation in-*  
2        *volved in the action.*

3            “(3) *ACTIONS BY ATTORNEY GENERAL.—In any*  
4        *action under subsection (c)(2), the Attorney General*  
5        *is entitled to recover an award of statutory damages*  
6        *for each violation involved in the action notwith-*  
7        *standing any recovery under subsection (c)(3).*

8            “(4) *STATUTORY DAMAGES.—A court may*  
9        *award, as the court considers just, statutory damages*  
10       *in a sum of not less than \$25,000 or more than*  
11       *\$50,000 per violation.*

12          “(e) *REBUTTABLE PRESUMPTION.—It shall be a rebut-*  
13       *table presumption that the violation was committed will-*  
14       *fully for purposes of determining relief under this section*  
15       *if the violator, or a person acting in concert with the viola-*  
16       *tor, did not have reasonable grounds to believe, either from*  
17       *the attention or publicity sought by the violator or other*  
18       *circumstance, that the conduct of such violator or person*  
19       *would not disturb or tend to disturb the peace or good order*  
20       *of such funeral, impede or tend to impede the access to or*  
21       *egress from such funeral, or disturb or tend to disturb the*  
22       *peace of any surviving member of the deceased person’s im-*  
23       *mediate family who may be found on or near the residence,*  
24       *home, or domicile of the deceased person’s immediate family*  
25       *on the date of the service or ceremony.*

1 “(f) *DEFINITIONS.*—*In this section—*

2 “(1) *the term ‘Armed Forces’ has the meaning*  
3 *given the term in section 101 of title 10 and includes*  
4 *members and former members of the National Guard*  
5 *who were employed in the service of the United*  
6 *States; and*

7 “(2) *the term ‘immediate family’ means, with re-*  
8 *spect to a person, the immediate family members of*  
9 *such person, as such term is defined in section 115*  
10 *of this title.”*

11 (c) *AMENDMENT TO TITLE 38.*—

12 (1) *IN GENERAL.*—*Section 2413 is amended to*  
13 *read as follows:*

14 **“§2413. *Prohibition on certain demonstrations and***  
15 ***disruptions at cemeteries under control of***  
16 ***the National Cemetery Administration***  
17 ***and at Arlington National Cemetery***

18 “(a) *PROHIBITION.*—*It shall be unlawful for any per-*  
19 *son—*

20 “(1) *to carry out a demonstration on the prop-*  
21 *erty of a cemetery under the control of the National*  
22 *Cemetery Administration or on the property of Ar-*  
23 *lington National Cemetery unless the demonstration*  
24 *has been approved by the cemetery superintendent or*

1     *the director of the property on which the cemetery is*  
2     *located; or*

3             “(2) *with respect to such a cemetery, to engage*  
4     *in a demonstration during the period beginning 120*  
5     *minutes before and ending 120 minutes after a fu-*  
6     *neral, memorial service, or ceremony is held, any part*  
7     *of which demonstration—*

8             “(A)(i) *takes place within the boundaries of*  
9             *such cemetery or takes place within 300 feet of*  
10            *the point of the intersection between—*

11            “(I) *the boundary of such cemetery;*  
12            *and*

13            “(II) *a road, pathway, or other route*  
14            *of ingress to or egress from such cemetery;*  
15            *and*

16            “(ii) *includes any individual willfully mak-*  
17            *ing or assisting in the making of any noise or*  
18            *diversion—*

19            “(I) *that is not part of such funeral,*  
20            *memorial service, or ceremony and that dis-*  
21            *turbs or tends to disturb the peace or good*  
22            *order of such funeral, memorial service, or*  
23            *ceremony; and*

1                   “(II) with the intent of disturbing the  
2                   peace or good order of such funeral, memo-  
3                   rial service, or ceremony; or

4                   “(B)(i) is within 500 feet of the boundary  
5                   of such cemetery; and

6                   “(ii) includes any individual—

7                   “(I) willfully and without proper au-  
8                   thorization impeding or tending to impede  
9                   the access to or egress from such cemetery;  
10                  and

11                  “(II) with the intent to impede the ac-  
12                  cess to or egress from such cemetery.

13                  “(b) *PENALTY.*—Any person who violates subsection  
14 (a) shall be fined under title 18 or imprisoned for not more  
15 than one year, or both.

16                  “(c) *CIVIL REMEDIES.*—(1) The district courts of the  
17 United States shall have jurisdiction—

18                  “(A) to prevent and restrain violations of this  
19 section; and

20                  “(B) for the adjudication of any claims for relief  
21 under this section.

22                  “(2) The Attorney General of the United States may  
23 institute proceedings under this section.

1       “(3) Any person, including a surviving member of the  
2 deceased person’s immediate family, who suffers injury as  
3 a result of conduct that violates this section may—

4               “(A) sue therefor in any appropriate United  
5 States district court or in any court of competent ju-  
6 risdiction; and

7               “(B) recover damages as provided in subsection  
8 (d) and the cost of the suit, including reasonable at-  
9 torneys’ fees.

10       “(4) A final judgment or decree rendered in favor of  
11 the United States in any criminal proceeding brought by  
12 the United States under this section shall estop the defend-  
13 ant from denying the essential allegations of the criminal  
14 offense in any subsequent civil proceeding brought by a per-  
15 son or by the United States.

16       “(d) ACTUAL AND STATUTORY DAMAGES.—(1) In ad-  
17 dition to any penalty imposed under subsection (b), a viola-  
18 tor of this section is liable in an action under subsection  
19 (c) for actual or statutory damages as provided in this sub-  
20 section.

21       “(2) A person bringing an action under subsection  
22 (c)(3) may elect, at any time before final judgment is ren-  
23 dered, to recover the actual damages suffered by him or her  
24 as a result of the violation or, instead of actual damages,

1 *an award of statutory damages for each violation involved*  
2 *in the action.*

3       “(3) *In any action brought under subsection (c)(2), the*  
4 *Attorney General is entitled to recover an award of statu-*  
5 *tory damages for each violation involved in the action not-*  
6 *withstanding any recovery under subsection (c)(3).*

7       “(4) *A court may award, as the court considers just,*  
8 *statutory damages in a sum of not less than \$25,000 or*  
9 *more than \$50,000 per violation.*

10       “(e) *REBUTTABLE PRESUMPTION.—It shall be a rebut-*  
11 *table presumption that the violation of subsection (a) was*  
12 *committed willfully for purposes of determining relief under*  
13 *this section if the violator, or a person acting in concert*  
14 *with the violator, did not have reasonable grounds to be-*  
15 *lieve, either from the attention or publicity sought by the*  
16 *violator or other circumstance, that the conduct of such vio-*  
17 *lator or person would not—*

18               “(1) *disturb or tend to disturb the peace or good*  
19 *order of such funeral, memorial service, or ceremony;*  
20 *or*

21               “(2) *impede or tend to impede the access to or*  
22 *egress from such funeral, memorial service, or cere-*  
23 *mony.*

24       “(f) *DEFINITIONS.—In this section—*

25               “(1) *the term ‘demonstration’ includes—*

1           “(A) any picketing or similar conduct;

2           “(B) any oration, speech, use of sound am-  
3           plification equipment or device, or similar con-  
4           duct that is not part of a funeral, memorial serv-  
5           ice, or ceremony;

6           “(C) the display of any placard, banner,  
7           flag, or similar device, unless such a display is  
8           part of a funeral, memorial service, or ceremony;  
9           and

10          “(D) the distribution of any handbill, pam-  
11          phlet, leaflet, or other written or printed matter  
12          other than a program distributed as part of a fu-  
13          neral, memorial service, or ceremony; and

14          “(2) the term ‘immediate family’ means, with re-  
15          spect to a person, the immediate family members of  
16          such person, as such term is defined in section 115  
17          of title 18.”.

18          (2) *CLERICAL AMENDMENT.*—The table of sec-  
19          tions at the beginning of chapter 24 is amended by  
20          striking the item relating to section 2413 and insert-  
21          ing the following new item:

“2413. *Prohibition on certain demonstrations and disruptions at cemeteries under control of the National Cemetery Administration and at Arlington National Cemetery.*”.



1 **SEC. 602. CODIFICATION OF PROHIBITION AGAINST RES-**  
2 **ERVATION OF GRAVESITES AT ARLINGTON**  
3 **NATIONAL CEMETERY.**

4 (a) *IN GENERAL.*—Chapter 24 is amended by insert-  
5 ing after section 2410 the following new section:

6 **“§2410A. Arlington National Cemetery: other admin-**  
7 **istrative matters**

8 “(a) *ONE GRAVESITE.*—(1) *Not more than one*  
9 *gravesite may be provided at Arlington National Cemetery*  
10 *to a veteran or member of the Armed Forces who is eligible*  
11 *for interment or inurnment at such cemetery.*

12 “(2) *The Secretary of the Army may waive the prohi-*  
13 *bition in paragraph (1) as the Secretary of the Army con-*  
14 *siders appropriate.*

15 “(b) *PROHIBITION AGAINST RESERVATION OF*  
16 *GRAVESITES.*—(1) *A gravesite at Arlington National Ceme-*  
17 *tery may not be reserved for an individual before the death*  
18 *of such individual.*

19 “(2)(A) *The President may waive the prohibition in*  
20 *paragraph (1) as the President considers appropriate.*

21 “(B) *Upon waiving the prohibition in paragraph (1),*  
22 *the President shall submit notice of such waiver to—*

23 “(i) *the Committee on Veterans’ Affairs and the*  
24 *Committee on Armed Services of the Senate; and*

1           “(ii) the Committee on Veterans’ Affairs and the  
2           Committee on Armed Services of the House of Rep-  
3           resentatives.”.

4           (b) *CLERICAL AMENDMENT.*—The table of sections at  
5           the beginning of such chapter is amended by inserting after  
6           the item relating to section 2410 the following new item:  
          “2410A. Arlington National Cemetery: other administrative matters.”.

7           (c) *APPLICABILITY.*—

8                   (1) *IN GENERAL.*—Except as provided in para-  
9                   graph (2), section 2410A of title 38, United States  
10                  Code, as added by subsection (a), shall apply with re-  
11                  spect to all interments at Arlington National Ceme-  
12                  tery after the date of the enactment of this Act.

13                  (2) *EXCEPTION.*—Subsection (b) of such section,  
14                  as so added, shall not apply with respect to the inter-  
15                  ment of an individual for whom a request for a re-  
16                  served gravesite was approved by the Secretary of the  
17                  Army before January 1, 1962.

18           (d) *REPORT.*—

19                   (1) *IN GENERAL.*—Not later than 180 days after  
20                   the date of the enactment of this Act, the Secretary of  
21                   the Army shall submit to Congress a report on res-  
22                   ervations made for interment at Arlington National  
23                   Cemetery.

24                   (2) *ELEMENTS.*—The report required by para-  
25                   graph (1) shall include the following:

1           (A) *The number of requests for reservation*  
2 *of a gravesite at Arlington National Cemetery*  
3 *that were submitted to the Secretary of the Army*  
4 *before January 1, 1962.*

5           (B) *The number of gravesites at such ceme-*  
6 *tery that, on the day before the date of the enact-*  
7 *ment of this Act, were reserved in response to*  
8 *such requests.*

9           (C) *The number of such gravesites that, on*  
10 *the day before the date of the enactment of this*  
11 *Act, were unoccupied.*

12           (D) *A list of all reservations for gravesites*  
13 *at such cemetery that were extended by individ-*  
14 *uals responsible for management of such ceme-*  
15 *tery in response to requests for such reservations*  
16 *made on or after January 1, 1962.*

17           (E) *A description of the measures that the*  
18 *Secretary is taking to improve the accountability*  
19 *and transparency of the management of gravesite*  
20 *reservations at Arlington National Cemetery.*

21           (F) *Such recommendations as the Secretary*  
22 *may have for legislative action as the Secretary*  
23 *considers necessary to improve such account-*  
24 *ability and transparency.*

1 **SEC. 603. EXPANSION OF ELIGIBILITY FOR PRESIDENTIAL**  
2 **MEMORIAL CERTIFICATES TO PERSONS WHO**  
3 **DIED IN THE ACTIVE MILITARY, NAVAL, OR**  
4 **AIR SERVICE.**

5 *Section 112(a) is amended—*

6 *(1) by inserting “and persons who died in the*  
7 *active military, naval, or air service,” after “under*  
8 *honorable conditions,”; and*

9 *(2) by striking “veteran’s” and inserting “de-*  
10 *ceased individual’s”.*

11 **SEC. 604. REQUIREMENTS FOR THE PLACEMENT OF MONU-**  
12 **MENTS IN ARLINGTON NATIONAL CEMETERY.**

13 *Section 2409(b) is amended—*

14 *(1) by striking “Under” and inserting “(1)*  
15 *Under”;*

16 *(2) by inserting after “Secretary of the Army”*  
17 *the following: “and subject to paragraph (2)”;* and

18 *(3) by adding at the end the following new para-*  
19 *graphs:*

20 *“(2)(A) Except for a monument containing or mark-*  
21 *ing interred remains, no monument (or similar structure,*  
22 *as determined by the Secretary of the Army in regulations)*  
23 *may be placed in Arlington National Cemetery except pur-*  
24 *suant to the provisions of this subsection.*

25 *“(B) A monument may be placed in Arlington Na-*  
26 *tional Cemetery if the monument commemorates—*

1           “(i) the service in the Armed Forces of the indi-  
2           vidual, or group of individuals, whose memory is to  
3           be honored by the monument; or

4           “(ii) a particular military event.

5           “(C) No monument may be placed in Arlington Na-  
6           tional Cemetery until the end of the 25-year period begin-  
7           ning—

8           “(i) in the case of the commemoration of service  
9           under subparagraph (B)(i), on the last day of the pe-  
10          riod of service so commemorated; and

11          “(ii) in the case of the commemoration of a par-  
12          ticular military event under subparagraph (B)(ii), on  
13          the last day of the period of the event.

14          “(D) A monument may be placed only in those sections  
15          of Arlington National Cemetery designated by the Secretary  
16          of the Army for such placement and only on land the Sec-  
17          retary determines is not suitable for burial.

18          “(E) A monument may only be placed in Arlington  
19          National Cemetery if an appropriate nongovernmental en-  
20          tity has agreed to act as a sponsoring organization to co-  
21          ordinate the placement of the monument and—

22          “(i) the construction and placement of the monu-  
23          ment are paid for only using funds from private  
24          sources;

1           “(ii) the Secretary of the Army consults with the  
2           *Commission of Fine Arts and the Advisory Committee*  
3           *on Arlington National Cemetery before approving the*  
4           *design of the monument; and*

5           “(iii) the sponsoring organization provides for  
6           *an independent study on the availability and suit-*  
7           *ability of alternative locations for the proposed monu-*  
8           *ment outside of Arlington National Cemetery.*

9           “(3)(A) *The Secretary of the Army may waive the re-*  
10          *quirement under paragraph (2)(C) in a case in which the*  
11          *monument would commemorate a group of individuals who*  
12          *the Secretary determines—*

13           “(i) *has made valuable contributions to the*  
14          *Armed Forces that have been ongoing and perpetual*  
15          *for longer than 25 years and are expected to continue*  
16          *on indefinitely; and*

17           “(ii) *has provided service that is of such a char-*  
18          *acter that the failure to place a monument to the*  
19          *group in Arlington National Cemetery would present*  
20          *a manifest injustice.*

21          “(B) *If the Secretary waives such requirement under*  
22          *subparagraph (A), the Secretary shall—*

23           “(i) *make available on an Internet website noti-*  
24          *fication of the waiver and the rationale for the waiv-*  
25          *er; and*

1           “(ii) submit to the Committee on Veterans’ Af-  
2       *fairs and the Committee on Armed Services of the*  
3       *Senate and the Committee on Veterans’ Affairs and*  
4       *the Committee on Armed Services of the House of*  
5       *Representatives written notice of the waiver and the*  
6       *rationale for the waiver.*

7           “(4) The Secretary of the Army shall provide notice  
8       *to the Committee on Veterans’ Affairs and the Committee*  
9       *on Armed Services of the Senate and the Committee on Vet-*  
10       *erans’ Affairs and the Committee on Armed Services of the*  
11       *House of Representatives of any monument proposed to be*  
12       *placed in Arlington National Cemetery. During the 60-day*  
13       *period beginning on the date on which such notice is re-*  
14       *ceived, Congress may pass a joint resolution of disapproval*  
15       *of the placement of the monument. The proposed monument*  
16       *may not be placed in Arlington National Cemetery until*  
17       *the later of—*

18           “(A) if Congress does not pass a joint resolution  
19       *of disapproval of the placement of the monument, the*  
20       *date that is 60 days after the date on which notice*  
21       *is received under this paragraph; or*

22           “(B) if Congress passes a joint resolution of dis-  
23       *approval of the placement of the monument, and the*  
24       *President signs a veto of such resolution, the earlier*  
25       *of—*

1                   “(i) the date on which either House of Con-  
2                   gress votes and fails to override the veto of the  
3                   President; or

4                   “(ii) the date that is 30 session days after  
5                   the date on which Congress received the veto and  
6                   objections of the President.”.

## 7                   **TITLE VII—OTHER MATTERS**

### 8                   **SEC. 701. ASSISTANCE TO VETERANS AFFECTED BY NAT-** 9                   **URAL DISASTERS.**

10                   (a) *ADDITIONAL GRANTS FOR DISABLED VETERANS*  
11                   *FOR SPECIALLY ADAPTED HOUSING.—*

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

14                   **“§2109. Specially adapted housing destroyed or dam-**  
15                   **aged by natural disasters**

16                   “(a) *IN GENERAL.—Notwithstanding the provisions of*  
17                   *section 2102 and 2102A of this title, the Secretary may pro-*  
18                   *vide assistance to a veteran whose home was previously*  
19                   *adapted with assistance of a grant under this chapter in*  
20                   *the event the adapted home which was being used and occu-*  
21                    *pied by the veteran was destroyed or substantially damaged*  
22                   *in a natural or other disaster, as determined by the Sec-*  
23                   *retary.*

24                   “(b) *USE OF FUNDS.—Subject to subsection (c), assist-*  
25                   *ance provided under subsection (a) shall—*



1           “(1) be available to acquire a suitable housing  
2           unit with special fixtures or moveable facilities made  
3           necessary by the veteran’s disability, and necessary  
4           land therefor;

5           “(2) be available to a veteran to the same extent  
6           as if the veteran had not previously received assist-  
7           ance under this chapter; and

8           “(3) not be deducted from the maximum uses or  
9           from the maximum amount of assistance available  
10          under this chapter.

11          “(c) *LIMITATIONS.*—The amount of the assistance pro-  
12          vided under subsection (a) may not exceed the lesser of—

13               “(1) the reasonable cost, as determined by the  
14               Secretary, of repairing or replacing the damaged or  
15               destroyed home in excess of the available insurance  
16               coverage on such home; or

17               “(2) the maximum amount of assistance to  
18               which the veteran would have been entitled under sec-  
19               tions 2101(a), 2101(b), and 2102A of this title had  
20               the veteran not obtained previous assistance under  
21               this chapter.”.

22               (2) *CLERICAL AMENDMENT.*—The table of sec-  
23               tions at the beginning of such chapter is amended by  
24               inserting after the item relating to section 2108 the  
25               following new item:

“2109. Specially adapted housing destroyed or damaged by natural disasters.”.

1       (b) *EXTENSION OF SUBSISTENCE ALLOWANCE FOR*  
2 *VETERANS COMPLETING VOCATIONAL REHABILITATION*  
3 *PROGRAM.*—Section 3108(a)(2) is amended—

4           (1) by inserting “(A)” before “In”; and

5           (2) by adding at the end the following new sub-  
6       paragraph:

7       “(B) In any case in which the Secretary determines  
8 that a veteran described in subparagraph (A) has been dis-  
9 placed as the result of a natural or other disaster while  
10 being paid a subsistence allowance under that subpara-  
11 graph, as determined by the Secretary, the Secretary may  
12 extend the payment of a subsistence allowance under such  
13 subparagraph for up to an additional two months while  
14 the veteran is satisfactorily following a program of employ-  
15 ment services described in such subparagraph.”.

16       (c) *WAIVER OF LIMITATION ON PROGRAM OF INDE-*  
17 *PENDENT LIVING SERVICES AND ASSISTANCE.*—Section  
18 3120(e) is amended—

19           (1) by inserting “(1)” before “Programs”; and

20           (2) by adding at the end the following new para-  
21       graph:

22       “(2) The limitation in paragraph (1) shall not apply  
23 in any case in which the Secretary determines that a vet-  
24 eran described in subsection (b) has been displaced as the  
25 result of, or has otherwise been adversely affected in the

1 *areas covered by, a natural or other disaster, as determined*  
2 *by the Secretary.”.*

3 *(d) COVENANTS AND LIENS CREATED BY PUBLIC EN-*  
4 *TITIES IN RESPONSE TO DISASTER-RELIEF ASSISTANCE.—*  
5 *Paragraph (3) of section 3703(d) is amended to read as*  
6 *follows:*

7 *“(3)(A) Any real estate housing loan (other than for*  
8 *repairs, alterations, or improvements) shall be secured by*  
9 *a first lien on the realty. In determining whether a loan*  
10 *is so secured, the Secretary may either disregard or allow*  
11 *for subordination to a superior lien created by a duly re-*  
12 *corded covenant running with the realty in favor of either*  
13 *of the following:*

14 *“(i) A public entity that has provided or will*  
15 *provide assistance in response to a major disaster as*  
16 *determined by the President under the Robert T. Staf-*  
17 *ford Disaster Relief and Emergency Assistance Act*  
18 *(42 U.S.C. 5121 et seq.).*

19 *“(ii) A private entity to secure an obligation to*  
20 *such entity for the homeowner’s share of the costs of*  
21 *the management, operation, or maintenance of prop-*  
22 *erty, services, or programs within and for the benefit*  
23 *of the development or community in which the vet-*  
24 *eran’s realty is located, if the Secretary determines*  
25 *that the interests of the veteran borrower and of the*

1        *Government will not be prejudiced by the operation of*  
2        *such covenant.*

3        *“(B) With respect to any superior lien described in*  
4        *subparagraph (A) created after June 6, 1969, the Sec-*  
5        *retary’s determination under clause (ii) of such subpara-*  
6        *graph shall have been made prior to the recordation of the*  
7        *covenant.”.*

8        *(e) AUTOMOBILES AND OTHER CONVEYANCES FOR*  
9        *CERTAIN DISABLED VETERANS AND MEMBERS OF THE*  
10       *ARMED FORCES.—Section 3903(a) is amended—*

11            *(1) by striking “No” and inserting “(1) Except*  
12            *as provided in paragraph (2), no”; and*

13            *(2) by adding at the end the following new para-*  
14            *graph:*

15            *“(2) The Secretary may provide or assist in providing*  
16            *an eligible person with a second automobile or other convey-*  
17            *ance under this chapter if—*

18            *“(A) the Secretary receives satisfactory evidence*  
19            *that the automobile or other conveyance previously*  
20            *purchased with assistance under this chapter was de-*  
21            *stroyed—*

22            *“(i) as a result of a natural or other dis-*  
23            *aster, as determined by the Secretary; and*

24            *“(ii) through no fault of the eligible person;*  
25            *and*

1           “(B) *the eligible person does not otherwise receive*  
2 *from a property insurer compensation for the loss.*”.

3           (f) *ANNUAL REPORT.*—

4           (1) *IN GENERAL.*—*Each year, the Secretary of*  
5 *Veterans Affairs shall submit to Congress a report on*  
6 *the assistance provided or action taken by the Sec-*  
7 *retary in the last fiscal year pursuant to the authori-*  
8 *ties added by the amendments made by this section.*

9           (2) *ELEMENTS.*—*Each report submitted under*  
10 *paragraph (1) shall include the following for the fiscal*  
11 *year covered by the report:*

12           (A) *A description of each natural disaster*  
13 *for which assistance was provided or action was*  
14 *taken as described in paragraph (1).*

15           (B) *The number of cases or individuals, as*  
16 *the case may be, in which or to whom the Sec-*  
17 *retary provided assistance or took action as de-*  
18 *scribed in paragraph (1).*

19           (C) *For each such case or individual, a de-*  
20 *scription of the type or amount of assistance or*  
21 *action taken, as the case may be.*

22           (g) *EFFECTIVE DATE.*—*The amendments made by this*  
23 *section shall take effect on the date that is one year after*  
24 *the date of the enactment of this Act.*

1 **SEC. 702. EXTENSION OF CERTAIN EXPIRING PROVISIONS**  
2 **OF LAW.**

3 (a) *POOL OF MORTGAGE LOANS.*—Section 3720(h)(2)  
4 is amended by striking “December 31, 2011” and inserting  
5 “December 31, 2016”.

6 (b) *LOAN FEES.*—Section 3729(b)(2) is amended—

7 (1) in subparagraph (A)—

8 (A) in clause (iii), by striking “October 1,  
9 2016” and inserting “October 1, 2017”; and

10 (B) in clause (iv), by striking “October 1,  
11 2016” and inserting “October 1, 2017”;

12 (2) in subparagraph (B)—

13 (A) in clause (i), by striking “October 1,  
14 2016” and inserting “October 1, 2017”; and

15 (B) in clause (ii), by striking “October 1,  
16 2016” and inserting “October 1, 2017”;

17 (3) in subparagraph (C)—

18 (A) in clause (i), by striking “October 1,  
19 2016” and inserting “October 1, 2017”; and

20 (B) in clause (ii), by striking “October 1,  
21 2016” and inserting “October 1, 2017”; and

22 (4) in subparagraph (D)—

23 (A) in clause (i), by striking “October 1,  
24 2016” and inserting “October 1, 2017”; and

25 (B) in clause (ii), by striking “October 1,  
26 2016” and inserting “October 1, 2017”.

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

7 **SEC. 703. REQUIREMENT FOR PLAN FOR REGULAR ASSESS-**  
 8 **MENT OF EMPLOYEES OF VETERANS BENE-**  
 9 **FITS ADMINISTRATION WHO HANDLE PROC-**  
 10 **ESSING OF CLAIMS FOR COMPENSATION AND**  
 11 **PENSION.**

12       *Not later than 180 days after the date of the enactment*  
 13 *of this Act, the Secretary of Veterans Affairs shall submit*  
 14 *to the Committee on Veterans’ Affairs of the Senate and*  
 15 *the Committee on Veterans’ Affairs of the House of Rep-*  
 16 *resentatives a plan that describes how the Secretary will—*

17           (1) *regularly assess the skills and competencies of*  
 18 *appropriate employees and managers of the Veterans*  
 19 *Benefits Administration who are responsible for proc-*  
 20 *essing claims for compensation and pension benefits*  
 21 *administered by the Secretary;*

22           (2) *provide training to those employees whose*  
 23 *skills and competencies are assessed as unsatisfactory*  
 24 *by the regular assessment described in paragraph (1),*

1     *to remediate deficiencies in such skills and com-*  
2     *petencies;*

3             *(3) reassess the skills and competencies of em-*  
4     *ployees who receive training as described in para-*  
5     *graph (2); and*

6             *(4) take appropriate personnel action if, fol-*  
7     *lowing training and reassessment as described in*  
8     *paragraphs (2) and (3), respectively, skills and com-*  
9     *petencies remain unsatisfactory.*

10 **SEC. 704. MODIFICATION OF PROVISION RELATING TO RE-**

11                     **IMBURSEMENT RATE FOR AMBULANCE SERV-**

12                     **ICES.**

13     *Section 111(b)(3)(C) is amended by striking “under*  
14 *subparagraph (B)” and inserting “to or from a Department*  
15 *facility”.*

16 **SEC. 705. CHANGE IN COLLECTION AND VERIFICATION OF**

17                     **VETERAN INCOME.**

18     *Section 1722(f)(1) is amended by striking “the pre-*  
19 *vious year” and inserting “the most recent year for which*  
20 *information is available”.*



1 **SEC. 706. DEPARTMENT OF VETERANS AFFAIRS ENFORCE-**  
2 **MENT PENALTIES FOR MISREPRESENTATION**  
3 **OF A BUSINESS CONCERN AS A SMALL BUSI-**  
4 **NESS CONCERN OWNED AND CONTROLLED**  
5 **BY VETERANS OR AS A SMALL BUSINESS CON-**  
6 **CERN OWNED AND CONTROLLED BY SERVICE-**  
7 **DISABLED VETERANS.**

8 *Subsection (g) of section 8127 is amended—*

9 *(1) by striking “Any business” and inserting*  
10 *“(1) Any business”;*

11 *(2) in paragraph (1), as so designated—*

12 *(A) by inserting “willfully and inten-*  
13 *tionally” before “misrepresented”; and*

14 *(B) by striking “a reasonable period of*  
15 *time, as determined by the Secretary” and in-*  
16 *serting “a period of not less than five years”;*  
17 *and*

18 *(3) by adding at the end the following new para-*  
19 *graphs:*

20 *“(2) In the case of a debarment under paragraph (1),*  
21 *the Secretary shall commence debarment action against the*  
22 *business concern by not later than 30 days after deter-*  
23 *mining that the concern willfully and intentionally mis-*  
24 *represented the status of the concern as described in para-*  
25 *graph (1) and shall complete debarment actions against*

1 *such concern by not later than 90 days after such deter-*  
 2 *mination.*

3 “(3) *The debarment of a business concern under para-*  
 4 *graph (1) includes the debarment of all principals in the*  
 5 *business concern for a period of not less than five years.”.*

6 **SEC. 707. QUARTERLY REPORTS TO CONGRESS ON CON-**  
 7 **FERENCES SPONSORED BY THE DEPART-**  
 8 **MENT.**

9 (a) *IN GENERAL.*—*Subchapter I of chapter 5 is*  
 10 *amended by adding at the end the following new section:*

11 **“§517. Quarterly reports to Congress on conferences**  
 12 **sponsored by the Department**

13 “(a) *QUARTERLY REPORTS REQUIRED.*—*Not later*  
 14 *than 30 days after the end of each fiscal quarter, the Sec-*  
 15 *retary shall submit to the Committee on Veterans’ Affairs*  
 16 *of the Senate and the Committee on Veterans’ Affairs of*  
 17 *the House of Representatives a report on covered con-*  
 18 *ferences.*

19 “(b) *MATTERS INCLUDED.*—*Each report under sub-*  
 20 *section (a) shall include the following:*

21 “(1) *An accounting of the final costs to the De-*  
 22 *partment of each covered conference occurring during*  
 23 *the fiscal quarter preceding the date on which the re-*  
 24 *port is submitted, including the costs related to—*

25 “(A) *transportation and parking;*

1           “(B) *per diem* payments;

2           “(C) *lodging*;

3           “(D) *rental of halls, auditoriums, or other*  
4           *spaces*;

5           “(E) *rental of equipment*;

6           “(F) *refreshments*;

7           “(G) *entertainment*;

8           “(H) *contractors*; and

9           “(I) *brochures or other printed media*.

10           “(2) *The total estimated costs to the Department*  
11           *for covered conferences occurring during the fiscal*  
12           *quarter in which the report is submitted.*

13           “(c) *COVERED CONFERENCE DEFINED.—In this sec-*  
14           *tion, the term ‘covered conference’ means a conference, meet-*  
15           *ing, or other similar forum that is sponsored or co-spon-*  
16           *sored by the Department and is—*

17           “(1) *attended by 50 or more individuals, includ-*  
18           *ing one or more employees of the Department; or*

19           “(2) *estimated to cost the Department at least*  
20           *\$20,000.”.*

21           “(b) *CLERICAL AMENDMENT.—The table of sections at*  
22           *the beginning of such chapter is amended by adding after*  
23           *the item relating to section 516 the following:*

          “517. *Quarterly reports to Congress on conferences sponsored by the Department.”.*

24           “(c) *EFFECTIVE DATE.—Section 517 of title 38, United*  
25           *States Code, as added by subsection (a), shall take effect*

1 on October 1, 2012, and shall apply with respect to the first  
2 quarter of fiscal year 2013 and each quarter thereafter.

3 **SEC. 708. PUBLICATION OF DATA ON EMPLOYMENT OF CER-**  
4 **TAIN VETERANS BY FEDERAL CONTRACTORS.**

5 Section 4212(d) is amended by adding at the end the  
6 following new paragraph:

7 “(3) The Secretary of Labor shall establish and main-  
8 tain an Internet website on which the Secretary of Labor  
9 shall publicly disclose the information reported to the Sec-  
10 retary of Labor by contractors under paragraph (1).”.

11 **SEC. 709. VETSTAR AWARD PROGRAM.**

12 (a) *IN GENERAL.*—Section 532 is amended—

13 (1) by striking “The Secretary may” and insert-  
14 ing “ (a) *ADVERTISING IN NATIONAL MEDIA.*—The  
15 Secretary may”; and

16 (2) by adding at the end the following new sub-  
17 section:

18 “(b) *VETSTAR AWARD PROGRAM.*—(1) The Secretary  
19 shall establish an award program, to be known as the  
20 ‘VetStar Award Program’, to recognize annually businesses  
21 for their contributions to veterans’ employment.

22 “(2) The Secretary shall establish a process for the ad-  
23 ministration of the award program, including criteria  
24 for—

1           “(A) categories and sectors of businesses eligible  
2           for recognition each year; and

3           “(B) objective measures to be used in selecting  
4           businesses to receive the award.”.

5           (b) *CLERICAL AMENDMENTS.*—

6           (1) *SECTION HEADING.*—The heading of such sec-  
7           tion is amended by adding at the end the following:  
8           “; **VetStar Award Program**”.

9           (2) *TABLE OF SECTIONS.*—The table of sections  
10           at the beginning of chapter 5 is amended by striking  
11           the item relating to section 532 and inserting the fol-  
12           lowing new item:

“532. Authority to advertise in national media; VetStar Award Program.”.

13 **SEC. 710. EXTENDED PERIOD OF PROTECTIONS FOR MEM-**  
14 **BERS OF UNIFORMED SERVICES RELATING**  
15 **TO MORTGAGES, MORTGAGE FORECLOSURE,**  
16 **AND EVICTION.**

17           (a) *STAY OF PROCEEDINGS AND PERIOD OF ADJUST-*  
18 *MENT OF OBLIGATIONS RELATING TO REAL OR PERSONAL*  
19 *PROPERTY.*—Section 303(b) of the Servicemembers Civil  
20 *Relief Act (50 U.S.C. App. 533(b)) is amended by striking*  
21 *“within 9 months” and inserting “within one year”.*

22           (b) *PERIOD OF RELIEF FROM SALE, FORECLOSURE,*  
23 *OR SEIZURE.*—Section 303(c) of such Act (50 U.S.C. App.  
24 *533(c)) is amended by striking “within 9 months” and in-*  
25 *serting “within one year”.*

1       (c) *EFFECTIVE DATE.*—*The amendments made by sub-*  
2 *sections (a) and (b) shall take effect on the date that is 180*  
3 *days after the date of the enactment of this Act.*

4       (d) *EXTENSION OF SUNSET.*—

5           (1) *IN GENERAL.*—*The amendments made by*  
6 *subsections (a) and (b) shall expire on December 31,*  
7 *2014.*

8           (2) *CONFORMING AMENDMENT.*—*Subsection (c)*  
9 *of section 2203 of the Housing and Economic Recov-*  
10 *ery Act of 2008 (Public Law 110–289; 50 U.S.C.*  
11 *App. 533 note) is amended to read as follows:*

12       “(c) *EFFECTIVE DATE.*—*The amendments made by*  
13 *subsection (a) shall take effect on the date of the enactment*  
14 *of this Act.”.*

15           (3) *REVIVAL.*—*Effective January 1, 2015, the*  
16 *provisions of subsections (b) and (c) of section 303 of*  
17 *the Servicemembers Civil Relief Act (50 U.S.C. App.*  
18 *533), as in effect on July 29, 2008, are hereby re-*  
19 *vived.*

20       (e) *REPORT.*—

21           (1) *IN GENERAL.*—*Not later than 540 days after*  
22 *the date of the enactment of this Act, the Comptroller*  
23 *General of the United States shall submit to Congress*  
24 *a report on the protections provided under section 303*  
25 *of such Act (50 U.S.C. App 533) during the five-year*

1 *period ending on the date of the enactment of this*  
2 *Act.*

3 (2) *ELEMENTS.*—*The report required by para-*  
4 *graph (1) shall include, for the period described in*  
5 *such paragraph, the following:*

6 (A) *An assessment of the effects of such sec-*  
7 *tion on the long-term financial well-being of*  
8 *servicemembers and their families.*

9 (B) *The number of servicemembers who*  
10 *faced foreclosure during a 90-day period, 270-*  
11 *day period, or 365-day period beginning on the*  
12 *date on which the servicemembers completed a*  
13 *period of military service.*

14 (C) *The number of servicemembers who ap-*  
15 *plied for a stay or adjustment under subsection*  
16 *(b) of such section.*

17 (D) *A description and assessment of the ef-*  
18 *fect of applying for a stay or adjustment under*  
19 *such subsection on the financial well-being of the*  
20 *servicemembers who applied for such a stay or*  
21 *adjustment.*

22 (E) *An assessment of the Secretary of De-*  
23 *fense's partnerships with public and private sec-*  
24 *tor entities and recommendations on how the*  
25 *Secretary should modify such partnerships to*

1           *improve financial education and counseling for*  
2           *servicemembers in order to assist them in achiev-*  
3           *ing long-term financial stability.*

4           (3) *PERIOD OF MILITARY SERVICE AND SERVICE-*  
5           *MEMBER DEFINED.—In this subsection, the terms “pe-*  
6           *riod of military service” and “servicemember” have*  
7           *the meanings given such terms in section 101 of such*  
8           *Act (50 U.S.C. App. 511).*

Amend the title so as to read: “An Act A bill to amend title 38, United States Code, to furnish hospital care and medical services to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, to improve the provision of housing assistance to veterans and their families, and for other purposes.”.

Attest:

*Secretary.*





112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H.R. 1627**

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**AMENDMENTS**