

H.R. 7105, As Amended: The Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020

BLUF: The Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 includes the text of numerous bipartisan bills introduced throughout the 116th Congress to support and serve veterans better.

Title I – Education Matters

Subtitle A- Education Generally

Sec. 1001 – This section would expand STEM eligibility under the Edith Nourse Rogers STEM Scholarship, a provision of the Forever GI Bill, to include health professions where they must complete clinical training to become licensed to work in that profession in their state of training or employment. This section would authorize the Department of Veterans Affairs (VA) to prioritize individuals if the Secretary determines that there will be insufficient funds available for that fiscal year and also excludes STEM eligibility from the 48-month benefits cap in section 3695 of title 38 U.S.C. – *H.R. 6140 - Rep. Underwood [D-IL] and H.R. 5772 – Rep. Barr [R-KY]*

Sec. 1002 - This section would expand eligibility for Fry Scholarship to children of certain deceased members of the Armed Forces. – *H.R. 2221 – Rep. Gus Bilirakis [R-FL] and Rep. Mike Levin [D-CA]*

Sec.1003 - This section would change the period for election to receive benefits under the All-Volunteer Educational Assistance Program from initially entering active duty to a 90 day period following 180 days after the date on which the individual initially enters initial training. This change would take effect two years after enactment. – *H.R. 4162 - Rep. Jack Bergman [R-MI] and Rep. Kathleen Rice [D-NY]*

Sec. 1004 - This section would phase out the All-Volunteer Educational Assistance Program (Montgomery GI Bill) beginning in 2030. - *H.R. 4162 - Rep. Jack Bergman [R-MI] and Rep. Kathleen Rice [D-NY]*

Sec. 1005 - This section would direct the Secretary to make publicly available on the VA website a database explaining any public institution’s requirements for in-state tuition. This section would also allow the Secretary to disapprove any institution that does not provide the Secretary certain information on in-state tuition requirements. – *H.R. 3608 - Rep. David P. Roe, M.D. [R-TN] and Rep. Elaine Luria [D-VA]*

Sec. 1006 - This section would expand authority for qualifying work study activities of the VA’s educational assistance programs to include outreach services provided through congressional offices. – *H.R. 7584 – Rep. Peter Defazio [D-OR]*

Sec. 1007 - This section would provide restoration of benefits for participants in the Veteran Readiness and Employment program in the event of a school closure, to provide parity between these individuals and individuals who are provided this restoration under the Post 9/11 GI Bill. – *Draft Bill – Rep. Julia Brownley [D-CA]*

Sec. 1008 - This section would authorize the Yellow Ribbon Program for international schools. – *H.R. 7009 - Rep. Jennifer Wexton [D-VA] and Rep. Jim Banks [R-IN]*

Sec. 1009 – This section would clarify that an individual on active duty must be serving at least 30 days on active duty to no longer receive a monthly housing allowance while using their GI Bill benefits since they will receive a housing allowance through DoD. – *H.R. 4625 – Rep. Mike Levin [D-CA] and Rep. Gus Bilirakis [R-FL]*

Sec. 1010 – This section would create a dual certification for the receipt of VA education benefits. The school would certify the student’s enrollment after the add-drop date, in a time that is prescribed by the Secretary, and then each month thereafter, the student would be required to electronically verify with VA their continued enrollment in that school. - *H.R. 4625 - Rep. Mike Levin [D-CA] and Rep. Gus Bilirakis [R-FL] and H.R. 4085 – Rep. Gus Bilirakis [R-FL]*

Sec. 1011 – This section would expand the eligibility for dependents to whom Post-9/11 GI Bill benefits can be transferred. This section would clarify that foster children who have been residing with the servicemember due to a court order for at least 12 months can be considered an eligible dependent for GI Bill transferability rules. This would align VA’s definition of dependents with that of DoD. - *H.R. 4625 – Rep. Mike Levin [D-CA] and Rep. Gus Bilirakis [R-FL]*

Sec. 1012 – This section would expand reasons for which a course of education may be disapproved for usage of Post-9/11 GI Bill benefits. A school that is at risk of losing accreditation from their accreditor would no longer be deemed approved under title 38 standards. - *H.R. 4625 - Rep. Mike Levin [D-CA] and Rep. Gus Bilirakis [R-FL] and H.R. 4085 – Rep. Gus Bilirakis [R-FL]*

Sec. 1013 – This section would require the Secretary to work with State Approving Agencies (SAAs) to develop a risk-based survey, which would provide oversight over all institutions. The scope of this risk-based survey would be required to include, but not limited to, the rapid increase of veteran enrollment at an institution; rapid increase in tuition and fees; complaints already currently tracked in the electronic VA complaint system; and notice from an accrediting agency of any action taken against the school, including heightened cash monitoring under title IV. This section would also require VA work with the SAAs to create a searchable database to track all of these risk-based surveys. - *Senate Provision*

Sec. 1014 – This section would require the Secretary of VA to provide to an SAA any notice from another Federal agency of a punitive action that will be taken against the school and require the SAA to then conduct a risk-based survey and take additional punitive action against the institution if needed. SAAs would also have to provide notice to VA and SAAs from other states when they take action against a school. - *H.R. 4625 - Rep. Mike Levin [D-CA] and Rep. Gus Bilirakis [R-FL] and H.R. 4085 – Rep. Gus Bilirakis [R-FL]*

Sec. 1015 – This section would require institutions to be eligible for participation in the Federal Student Aid program through Title IV of the Higher Education Act in order to be eligible to receive GI Bill funds. This requirement may be waived by the Secretary. If this waiver is

utilized, the Secretary must report that utilization to Congress. *H.R. 4625 - Rep. Mike Levin [D-CA] and Rep. Gus Bilirakis [R-FL] and H.R. 4085 – Rep. Gus Bilirakis [R-FL]*

Sec. 1016 – This section would require that for a law school to be approved for GI Bill enrollments, they must be accredited by a specialized accrediting agency for legal programs (e.g. the American Bar Association). - *H.R. 4625 - Rep. Mike Levin [D-CA] and Rep. Gus Bilirakis [R-FL]*

Sec. 1017 – This section would allow for a course to be disapproved for GI Bill enrollments if the institution does not comply with a risk-based survey by an SAA. - *Senate Provision*

Sec. 1018 – This section would codify the requirements of the Principles of Excellence Program (Executive Order 13607) in statute. - *H.R. 4625 - Rep. Mike Levin [D-CA] and Rep. Gus Bilirakis [R-FL] and H.R. 4085 – Rep. Gus Bilirakis [R-FL]*

Sec. 1019 – This section would require that schools and training programs be financially responsible for all GI Bill overpayments related to tuition and fees instead of students if the Secretary finds that the overpayment was made as a negligent failure of the school to report a discontinuance of the student in the program or in the case of excessive absences. *H.R. 4625 - Rep. Mike Levin [D-CA] and Rep. Gus Bilirakis [R-FL]*

Sec. 1020 – This section would limit the type of advertising, sales, and marketing that schools can conduct and remain eligible for GI Bill funds. These requirements are already in place for a school to be eligible for Federal Student Aid. This section would also create a tiered penalty system for institutions that do not comply with the law and set up a mechanism for institutions to work with the SAAs and the VA on coming back into compliance. It would also create an appeal process for schools to the Under Secretary of Benefits. - *Senate Provision*

Sec. 1021 – This section would restore GI Bill entitlement to eligible student veterans whose school closed in the middle of a semester without the ability to transfer credits to another institution. -*H.R. 4625 - Rep. Mike Levin [D-CA] and Rep. Gus Bilirakis [R-FL] and H.R. 4085 – Rep. Gus Bilirakis [R-FL]*

Sec. 1022 – This section would create new requirements for how the Secretary and the SAAs treat an institution that converts from a for-profit to a non-profit educational institution. The institution would be required to receive annual risk-based surveys for a period of 3 years after the institution converts to a nonprofit institution. - *Draft Bill*

Sec. 1023 – This section would allow an SAA to conduct outreach activities to institutions for training, in addition to their work to conduct risk-based surveys, which would still be their priority. - *H.R. 5284 – Rep. Ro Khanna [D-CA], Rep. Paul Cook [R-CA], and Rep. Michael Waltz [R-FL]*

Sec. 1024 – This section would require that an SAA not be recognized as an SAA for a university that is collocated with that State entity, to ensure there is no conflict of interest. - *Senate Provision*

Sec. 1025 - This section would eliminate the 12-year delimiting date for disabled veterans to receive counseling, training, and benefits under Veteran Readiness and Employment program for eligible disabled veterans who separate from military service after January 1, 2013. This change would align Veteran Readiness and Employment (VR&E) rules with the elimination of the Post-9/11 Educational Assistance delimiting date as part of the Forever GI Bill. - *H.R. 444 – Rep. Julia Brownley [D-CA]*

Subtitle B – Pandemic Assistance

Sec. 1101 – This section would define the following terms for the proceeding sections: COVID-19 emergency, covered program of education, educational institution, state approving agency, training establishment and training. - *H.R. 8483 – Rep. Joe Cunningham [D-SC] and Rep. Gus Bilirakis [R-FL]*

Sec. 1102 – This section would allow for the continuation of VA educational assistance benefits during the COVID–19 emergency if the Secretary determines a student was negatively affected by the emergency. - *H.R. 8483 – Rep. Joe Cunningham [D-SC] and Rep. Gus Bilirakis [R-FL]*

Sec. 1103 – This section would ensure that if a school closes due to COVID-19, that certain entitlement used by an individual at that school will not be charged against their overall entitlement amount that they have earned. - *H.R. 8483 – Rep. Joe Cunningham [D-SC] and Rep. Gus Bilirakis [R-FL]*

Sec. 1104 - This section would require the VA to view a student’s withdrawal from a school due to covered reasons as a result of the COVID-19 pandemic as due to a mitigating circumstance and would not charge that student against their entitlement. - *H.R. 8483 – Rep. Joe Cunningham [D-SC] and Rep. Gus Bilirakis [R-FL]*

Sec. 1105 - This section would modify the time period in which a student can utilize their Montgomery GI Bill and VR&E benefits during the COVID-19 pandemic to ensure that the window in which they can use these benefits after separation does not terminate during the pandemic. - *H.R. 8483 – Rep. Joe Cunningham [D-SC] and Rep. Gus Bilirakis [R-FL]*

Sec. 1106 - This section would ensure that a veteran who is enrolled in an on-the-job training program or apprenticeship and who is unable to fulfill the 120-hour requirement due to unemployment during COVID-19 or inability to attend the program in person due to COVID-19 is not negatively impacted. This section would proportionally recognize the amount of hours the individual was able to work, to receive payment from the VA. - *H.R. 8483 – Rep. Joe Cunningham [D-SC] and Rep. Gus Bilirakis [R-FL]*

Sec. 1107 - This section would amend title 38, U.S.C. to include eligibility for students to attend “training establishments” in addition to “educational institutions” during the COVID-19 pandemic. - *H.R. 8483 – Rep. Joe Cunningham [D-SC] and Rep. Gus Bilirakis [R-FL]*

Sec. 1108 - This section would amend the Student Veteran Coronavirus Response Act of 2020 to ensure that a student’s entitlement and payment allowances are not charged in the event they are

unable to continue their program. - *H.R. 8483 – Rep. Joe Cunningham [D-SC] and Rep. Gus Bilirakis [R-FL]*

Title II – Benefits

Subtitle A – Benefits Generally

Sec. 2001 - This section would amend title 38, U.S.C. to revise the definition of the Vietnam era as beginning on November 1, 1955 instead of February 28, 1961. - *H.R. 6082 – Rep. T.J. Cox [D-CA]*

Sec. 2002 - This section would set up a three year pilot program to extend license portability to certain contractor healthcare professionals who perform medical disability examinations for the Department. This section would include an internal report to Congress from VA and a GAO study to review the three year pilot program authorized by this section. - *H.R. 7287 – Rep. Mike Bost [R-IL]*

Sec. 2003 - This section would codify the current rate of the Medal of Honor special pension at \$1,388.68 per month and require the Secretary to pay such pension to the surviving spouse of a Medal of Honor recipient. - *H.R. 1826 – Rep. Conor Lamb [D-PA]*

Sec. 2004 - This section would modernize the Service-Disabled Veterans Insurance (SDVI) program and provide veterans with assurance that their families will be taken care of financially after their death by raising the maximum coverage to \$40,000. This section would also guarantee that veterans cannot be denied SDVI coverage for any pre-existing health condition or for a service connected disability and remove the two-year time limit to apply. Veterans insured under the current SDVI program would have two years to opt-in to the modernized program, if they choose to do so. - *H.R. 6013– Rep. Mike Bost [R-IL] and Rep. Anne Rice [D-NY]*

Sec. 2005 - This section would modify the TSGLI program administered by VA to provide additional protections for servicemembers who are catastrophically injured and submit claims under the TSGLI program. This provision would require the Branch of Service adjudicating the TSGLI claim to include with the TSGLI decision, an explanation of the reason for the denial and a list of the evidence considered. Additionally, this provision would ensure that positive evidence, referred to as favorable findings, are binding on a subsequent appeal, unless there is clear and convincing evidence to the contrary. - *H.R. 8257 – Rep. Daniel T. Kildee [D-MI] and Rep. Jack Bergman [R-MI]*

Sec. 2006 – This section would require the Secretary to resume providing the disability benefits questionnaire (DBQ) online. This section would also require the Secretary to assess and provide a report to Congress, within 180 days of enactment, whether an alternate process to the DBQ would be better and would still allow the VA to weigh medical evidence equally whether it is provided by a VA or non-VA provider. The Secretary would be required to implement such process not later than two years after submitting the report if they determine such a process is preferable. - *H.R. 7795 – Rep. Andy Barr [R-KY] and Rep. Elaine Luria [D-VA]*

Sec. 2007 - This section would add a new section 5320 in title 38, U.S.C., requiring the Secretary to prescribe regulations for the minimum amounts of debt, which the Secretary shall report to a consumer reporting agency pursuant to provisions of section 3711 of title 31, U.S.C. - *H.R. 5245 – Rep. Chris Pappas [D-NH]*

Sec. 2008 - This section would require VA to allow compensation and pension recipients to remove a dependent from their compensation or pension award via the eBenefits website or its successor system and ensure such change is effective within 60 days of the request for removal. - *H.R. 5245 – Rep. Chris Pappas [D-NH] and Rep. Mike Bost [R-IL]*

Sec. 2009 – This section would lower from 57 to 55 years old the age at which a surviving spouse may still receive dependency indemnity compensation benefits at the point of remarriage. - *H.R. 6933 – Rep. T.J. Cox [D-CA]*

Sec. 2010 – This section would require the VA to enter into an agreement with the Agency for Toxic Substances and Disease Registry to complete a study, not later than 10 years after the date of the enactment, to identify incidents of cancer and other diseases or illnesses experienced by individuals who served at the Karshi-Khanabad (K2) Air Base in Uzbekistan between October 1, 2001, and September 30, 2005. The bill also expands the definition of an open burn pit, for purposes of the VA's open burn pit registry, to include burn pits located on land in Uzbekistan. - *H.R. 5957 – Rep. Mark Green [R-TN] and Rep. Stephen F. Lynch [D-MA]*

Sec. 2011 – This section would require a GAO briefing and report on repealing the manifestation period for presumptions of service connection for certain diseases associated with exposure to herbicide agents. - *Senate Provision*

Sec. 2012 – This section would extend the Secretary's authority to compare beneficiary-provided income information with information from the Internal Revenue Service or the Treasury Department for purposes of approving applications for needs-based benefits or services. The authority would be extended three years from September 30, 2027 to September 30, 2030. - *Four Corners Agreed Upon Offset*

Sec. 2013 – This section extends certain limits on payments of pension in 38 USC 5503(d)(7) from September 30, 2028 to October 30, 2028. - *Four Corners Agreed Upon Offset*

Subtitle B – Housing

Sec. 2101 - This section would expand eligibility for the VA Home Loan Guaranty Program to members of the National Guard and Reserve by crediting service under Title 32 orders toward Home Loan Guaranty eligibility. - *H.R. 7445 – Rep. Mike Bost [R-IL] and Rep. David P Roe [R-TN]*

Sec. 2102 - This section would reduce Home Loan Guaranty funding fees for certain veterans affected by major disasters. - *H.R. 7445 – Rep. Mike Bost [R-IL] and Rep. David P Roe [R-TN]*

Sec. 2103 - This section would extend certain home loan fee rates from 2029 through 2030. - *Four Corners Agreed Upon Offset*

Sec. 2104 - This section would allow for the Secretary to collect overpayments made in the Specially Adapted Housing program. - *H.R. 6018 – Rep. Luis Correa [D-CA]*

Subtitle C – Burial Matters

Sec. 2201 - This section would authorize the Department to pay the cost of transporting the remains of deceased veterans to a state or tribal veterans cemetery in which a deceased veteran is eligible to be buried and to which the Secretary has made a grant under section 2408 of title 38, U.S.C. - *H.R. 697 – Rep. Jim Banks [R-IN]*

Sec. 2202 - This section would increase the \$300 burial benefit for veterans with a non-service death to match the \$796 allowance for veterans who pass away in a VA facility and group all veterans who die of a non-service-connected disability into one category of burial benefits, regardless of location of death. - *H.R. 497– Rep. Adam Kinzinger [R-IL]*

Sec. 2203 - This section would authorize the Department to provide an outer burial receptacle for each new gravesite in state and tribal veterans cemeteries that are recipients of grants made by the Secretary. - *H.R. 6060 – Rep. Steve Watkins [R-KS]*

Sec. 2204 - This section would authorize VA to replace existing VA-furnished headstones placed in private cemeteries to add inscriptions for deceased spouses and eligible dependent children, and allow for inscriptions on headstones furnished by VA if the spouse or eligible dependent child predeceases the veteran. - *H.R. 1126 – Rep. Doug LaMalfa [R-CA]*

Sec. 2205 - This section would authorize the Veterans Cemetery Grants Program to make grants to counties for a veterans cemetery if there are no grant-funded state or tribal veterans cemeteries in that state, and if that state did not apply for a grant in the previous year. Counties would need to demonstrate sufficient resources to maintain and operate a cemetery, and if the state applies during the same year preference would be given to state applications. - *H.R. 5048 – Rep. Antonio Delgado [D-NY]*

Sec. 2206 - This section would increase to \$10 million (currently \$5 million) the maximum amount the VA may grant in a fiscal year to states and tribal organizations for operating and maintaining veterans' cemeteries. - *H.R. 5487 – Rep. Gregorio Kilili Camacho Sablan [D-MP]*

Sec. 2207 - This section would authorize NCA to furnish an urn or a commemorative plaque, in lieu of a headstone or marker, to eligible individuals whose cremated remains are not interred in a national; grant-funded state veterans, county, tribal; or, private cemetery. - *H.R. 5639 – Rep. Anthony Brindisi [D-NY]*

Sec. 2208 – This section would allow Veterans Cemetery Grant Program funds to be used for travel expenses, and up to four weeks of lodging, for employees of grant-funded State and tribal organization veterans' cemeteries. Each participating employee would be required to fulfill a service obligation and the Secretary would be able to add additional conditions via regulations. The VA would be required to submit reports to Congress on use of this new authority 2 years and 5 years after enactment. - *Senate Provision*

Title III – Veterans Health Care Matters

Subtitle A – Health Care Generally

Sec. 3001 - This section would incorporate a technical fix to the Veteran Directed Care Program provision in CARES Act by replacing the term “an area agency on aging” with “a covered provider” to broaden the scope of VDP provider eligibility. This section would also allow the VA to temporarily transfer veterans receiving extended care services to the Veteran Directed Care Program in instances where extended care services are temporarily unavailable due to the pandemic. *Phase 4 COVID Proposal*

Sec. 3002 - This section would amend section 1730A of title 38, U.S.C., to prohibit the VA from requiring copayments from Indian and Urban Indian veterans. *S.4909/H.R. 4908 – Rep Gallego [D-AZ] and Rep Cook [R-CA]*

Sec. 3003 - This section would require State Veterans Homes (SVH) to provide the VA with reoccurring reports on COVID-19 cases and related issues within the facility. The report is in line with the Center for Medicare and Medicaid Services (CMS) COVID-19 reporting regulation and would provide VA with more oversight of facilities susceptible to COVID-19 outbreaks. *Phase 4 COVID Proposal*

Sec. 3004 - This section would amend section 101(19) of title 38, U.S.C., to include Indian tribes within the definition of eligible entities for the purpose of awarding grants for state veterans homes. *S.2558/H.R. 4532 – Rep O'Halleran [D-AZ] and Rep Cole [R-OK]*

Sec. 3005 - This section would require the continuation of the VA’s Women’s Health Transition Training Pilot Program to promote enrollment of women veterans in VA healthcare. *S. 3182/H.R. 2942 - Rep. Cisneros [D-CA]*

Sec. 3006 - This section would require the VA to cover costs for emergency transportation of newborns and would allow VA doctors to waive the seven-day care limit in certain instances. *S. 3182/H.R. 2752 - Rep. Allred [D-TX]*

Sec. 3007 - This section would ensure VA has the discretionary authority to provide a waiver for certain veterans who do not meet all the current eligibility requirements for domiciliary care per diem payments at state veterans homes. *S.4460/ H.R. 8076 - Rep. Golden [D-ME] and Rep. Young [R-AK]*

Sec. 3008 – This section would amend section 55 of the VA MISSION Act to update VA’s required quarterly report on staffing and vacancies in the Department to include compliance with VA’s Time to Hire standards of timeliness for hiring health care providers. *S. 450/H.R. 1674 - Rep. Tipton [R-CO] and Rep. Crow [D-CO]*

Sec. 3009 – This section would require medical facilities and certain other facilities to have drop off locations for the disposal of controlled substances medications. *S.3753/H.R. 4817- Rep. Baird [R-IN]*

Sec. 3010 – This section would require VA to carry out a pilot program for a one-year period to provide certain students a clinical observation experience at the VA medical centers.

Subtitle B – Scheduling and Consult Management

Sec. 3101 - This section would require the VA to establish a process for scheduling internal VA appointments and community care appointments. The section would also require the VA to certify relevant employees receive adequate training on the scheduling and consultation process. *S. 629*

Sec. 3102 - This section would require the VA to provide for an initial audit of appointment scheduling at the facility level followed by a second audit for certain facilities. The scope of the audit would cover several elements of the scheduling process including a review of the external appointment scheduling process. This section also requires the VA to report its audit findings to Congress for each audit year. *S. 629*

Sec. 3103 - This section would require the VA to review its staffing and training necessary to carry out section 1703 of title 38, U.S.C. This section would also require the VA to establish goals for scheduling community care appointments and measure the timeliness of such process for VA medical facilities. *S. 629*

Sec. 3104 - This section would require the VA to determine whether health care positions involved in the consultation and scheduling process are accurately graded. *S. 629*

Title IV – Navy Seal Bill Mulder

Sec. 4001 – Short title

Subtitle A – Service-connection and COVID-19

Sec. 4101 – This section outlines a time-limited presumption of exposure to SARS-CoV-2 for purposes of service-connection for certain veterans with a qualifying period of duty. - *H.R. 7728 – Rep. David P. Roe [R-TN] and Rep. Mark Takano [D-CA]*

Subtitle B – Assistance for Homeless Veterans

Sec. 4201 - This section would authorize use of per diem payments during COVID-19 to provide assistance required for safety and survival for homeless veterans, and formerly homeless veterans currently residing in a facility operated wholly or in part by a grantee receiving per diem. This section would also set a maximum limit for VA’s Grant and Per Diem Program (GPD), equal to three times the rate authorized for domiciliary care during the COVID-19 pandemic and makes telehealth capabilities available during a covered public health emergency for VA case managers.

Additionally, this section would eliminate the matching funds requirement for those applying for VA capital grants for construction, renovation, or acquisition of a facility to provide transitional housing for homeless veterans during a declared public health emergency. This section would also remove recovery provisions so VA capital grant recipients, both past and new, would not be subject to real property disposition requirements. - *H.R. 7105 – Rep. Mike Levin [D-CA], Rep.*

Gus Bilirakis [R-FL], Rep. Jim Banks [R-IN], Rep. David P. Roe [R-TN], Rep. Jack Bergman [R-MI], and Rep. Mike Bost [R-IL]

Sec. 4202 - This section would provide legal services for homeless veterans and veterans at risk for homelessness by providing VA with authority to award grants for entities to deliver legal services for homeless veterans. - *H.R. 3749 – Rep. Jimmy Panetta [D-CA]*

Sec. 4203 - This section would require gap analysis of VA programs that provide assistance to women veterans who are homeless or precariously housed to identify the areas in which such programs are failing to meet the needs of such women. *H.R. 3749 – Rep. Jimmy Panetta [D-CA]*

Sec. 4204 - This section would enable improvements to grants awarded by the Secretary to entities that provide services to homeless veterans by increasing the GPD rate to 115% of the state veterans home domiciliary rate and allows locality increases to account for communities with higher cost-of-living. - *H.R. 8275 – Rep. Kevin McCarthy [R-CA] and Rep. Mike Levin [D-CA]*

Sec. 4205 - This section would repeal the sunset on authority to carry out programs of referral and counseling services for veterans at risk for homelessness who are transitioning from certain institutions. - *Senate Provision*

Sec. 4206 - This section would extend the coordination of case management services for veterans receiving housing vouchers under Tribal Housing and Urban Development-Veterans Affairs Supportive Housing programs (Tribal HUD-VASH). - *Draft Bill - Rep. Julia Brownley [D-CA]*

Sec. 4207 - This section would extend the use of contracting case managers for homeless veterans in supported housing programs to fulfill critical gaps in services for homeless veterans during the pandemic. - *H.R. 8275 – Rep. Kevin McCarthy [R-CA]*

Sec. 4208 - This section would require a report on staffing of Department of Housing and Urban Development-VA supported housing program to ensure critical gaps are being filled. - *Draft Bill*

Subtitle C – Retraining Assistance for Veterans

Sec. 4301 - This section would provide access to the Federal directory of new hires for the Secretaries of Labor and Veterans Affairs. - *H.R. 2326 – Rep. Mike Levin [D-CA], Rep. Jodey Arrington [R-TX], and Rep. Gus Bilirakis [R-FL]*

Sec. 4302 - This section would expand the high technology pilot program (VET TEC Program) to transitioning servicemembers within 180 days of their separation. It would also increase the annual funding for the program from \$15M to \$45M, due to the high demand and usage of the program. - *H.R. 5766 – Rep. Kevin McCarthy [R-CA] and Rep. Ro Khanna [D-CA]*

Sec. 4303 - This section would amend the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 to reauthorize the Transition Assistance Program's (TAP) pilot program for off-base transition classes from two years to five years. This section would authorize the employment workshop from the DoD TAP program to be provided at off-base locations for veterans who may need a refresher or never took TAP while transitioning from military service

to the civilian sector. This section will expand off-base TAP classes to 50 locations in the domestic United States and expand the Department of Labor's identification of the two states with high unemployment to 20 states with high unemployment.- *H.R. 2326 – Rep. Mike Levin [D-CA], Rep. Jodey Arrington [R-TX], and Rep. Gus Bilirakis [R-FL]*

Sec. 4304 - This section would direct the Secretary to make grants available for eligible organizations that specialize in providing transition services to members of the Armed Forces who are separated, retired, or discharged, as well as their spouses. Transition services include resume assistance, interview training, job recruitment training, and related services leading directly to successful transition as determined by the Secretary. For an organization to be eligible for these grants, the organization must submit an application to the Secretary containing information required by the VA Secretary in coordination with the Secretary of Labor. - *H.R. 2326 – Rep. Mike Levin [D-CA], Rep. Jodey Arrington [R-TX], and Rep. Gus Bilirakis [R-FL]*

Sec. 4305 - This section would require the Secretary of VA, in consultation with the Small Business Administration and the Departments of Labor and Defense, and an appropriate entity with experience in adult education, to conduct a one-year independent assessment of the effectiveness of the Transition Assistance under sections 1142 and 1144 of title 10, United States Code (TAP), including the effectiveness, appropriateness, and any challenges the program faces. - *H.R. 2326 – Rep. Mike Levin [D-CA], Rep. Jodey Arrington [R-TX], and Rep. Gus Bilirakis [R-FL]*

Sec. 4306 - This section would require the Secretary of Veterans Affairs, in consultation with the Small Business Administration and the Departments of Labor and Defense, to conduct a 5-year longitudinal study on three cohorts of individuals going through the Transition Assistance Program.- *H.R. 2326 – Rep. Mike Levin [D-CA], Rep. Jodey Arrington [R-TX], and Rep. Gus Bilirakis [R-FL]*

Title V – Deborah Sampson

Sec. 5001 – Short title

Subtitle A – Improving Access for Women Veterans to the Department of Veterans Affairs

Sec. 5101 - This section would create an Office of Women's Health within VHA headed by a Chief Officer. The office would oversee women's health programs within VHA and ensure standards of care are created and outreach to women veterans is performed. This section would also require an annual report on models of care, women's health staffing, access to gender-specific services, accessibility, and activities carried out by the Office. *S. 514/ H.R. 3224 – Rep. Brownley [D-CA]*

Sec. 5102 - This section would require VA to prioritize retrofitting existing medical facilities to make it safer and easier for women veterans to get care. This section would also require VA to submit a plan for retrofitting facilities and authorizes \$20 million for that purpose. *S. 514/ H.R. 3224 – Rep. Brownley [D-CA]/ H.R. 3036 Rep. Rose [D-NY]*

Sec. 5103 - This section would establish environment of care standards at all VA Medical Centers to ensure that facilities are inspected and improvements are made if the environment of care standards are not met. *S. 514/H.R. 3224 – Rep. Brownley [D-CA]*

Sec. 5104 - This section would make permanent the ability of women veterans to receive reintegration and readjustment counseling services in group retreat settings, and additionally provides opportunities to participate in counseling in retreat settings for those veterans, servicemembers, and family members with their eligible veteran. Participation would be capped at 1,200 participants annually for the first five years. *S. 514/H.R. 3224 – Rep. Brownley [D-CA]*

Sec. 5105 - This section would require VA to enter into agreements with public or private entities, to provide legal services to women veterans to meet the following unmet needs of women veterans: (1) Legal Assistance for Child Support Issues, (2) Legal Assistance to Prevent Eviction and Foreclosure, (3) Legal Assistance for Discharge Upgrades, (4) Financial Guardianship, (5) Credit Counseling, and (6) Family Reconciliation Assistance. *S. 514/H.R. 3224 – Rep. Brownley [D-CA]/H.R. 3189 – Rep. Wild [D-PA]*

Sec. 5106 - This section would require GAO to report on the VA's efforts to provide supportive services to women veterans through the Supportive Services for Veterans Families Program for homeless or at-risk veterans. *S. 514*

Sec. 5107 - This section would make permanent a pilot program to provide child care to veterans receiving VA health care and give VA five years to implement the provision of child care at every VA medical center. This section would also create a pilot program to provide child care services at no fewer than 3 Vet Centers. *S. 514/H.R. 840 – Rep. Brownley [D-CA]*

Sec. 5108 - This section would codify a requirement to ensure that women veterans can access clinically appropriate prosthetic appliances through each VA medical facility. This section would also require VA to report on the availability of prosthetics made for women veterans at VA, including variability across facilities. *S. 514/H.R. 3224 – Rep. Brownley [D-CA]/H.R. 2681-Rep Pappas [D-NY] and Rep Stefanik [R-NY]*

Sec. 5109 - This section would require the women veterans call center to respond to requests for assistance in accessing health care and benefits and requires referrals to resources provided by other sources if such services are not furnished by VA. *S. 514/H.R. 3224 – Rep. Brownley [D-CA]/H.R. 2972 Rep Brindisi [D-NY] and Rep Wolorski [R-WI]*

Sec. 5110 - This section would require a study on infertility services furnished by VA for eligible veterans, to include analysis of those services and recommendations for improvement under laws administered by the Secretary. *S. 514*

Sec. 5111 - This section would clarify that service members seeking access to care and counseling related to MST are able to seek this care at any VA healthcare facility, not limited to Vet Centers. *S. 514/H.R. 3224 – Rep. Brownley [D-CA]*

Subtitle B – Increasing Staff Cultural Competency

Sec. 5201 - This section would require VA to staff every VA facility with at least one full- or part-time women's health primary care provider. *S. 514/H.R. 3224 – Rep. Brownley [D-CA]/ H.R. 3036 – Rep Rose [D-NY]*

Sec. 5202 - This section would authorize an additional \$1 million annually for the Women Veterans Healthcare Mini-Residency Program, providing training opportunities on women veterans care for primary care and emergency care clinicians. *S. 514/H.R. 3224 – Rep. Brownley [D-CA]*

Sec. 5203 - This section would require VA to create a training module for community providers that is specific to women veterans. *S. 514/H.R. 3224 – Rep. Brownley [D-CA]/ H.R. 3036 – Rep Rose [D-NY]*

Sec. 5204 - This section would require VA to conduct a study to determine if the Women Veteran Program Manager program is appropriately staffed, and whether it would be advisable to add an Ombudsman to this program at each medical center. *S. 514/H.R. 3224 – Rep. Brownley [D-CA]*

Sec. 5205 - This section would require VA to study the Veterans Benefits Administration Women Veteran Coordinator program, how well those positions are staffed, and provide a position description. *S. 514/H.R. 3224 – Rep. Brownley [D-CA]*

Sec. 5206 - This section would direct VA to carry out a study, in consultation with the Inspector General's Office, on the number of women Peer Specialists, including the distribution of women Peer Support Specialists across the country, and the size and distribution of the women veteran population they serve. This section would require VA to create a staffing plan for women Peer Specialists. *S. 514*

Subtitle C – Eliminating Harassment and Assault

Sec. 5301 - This section would expand MST counseling at VA to former members of the National Guard or Reserve, who currently only receive such counseling if they are current members of the Guard or Reserve. This section would also allow VA to treat physical health conditions arising from MST, not just mental health conditions. *S. 514/H.R. 3224 – Rep. Brownley [D-CA]*

Sec. 5302 - This section would expand the Advisory Committee on Women Veterans' mandate to include examining the effect of intimate partner violence on women veterans. *S. 514/H.R. 3224 – Rep. Brownley [D-CA]*

Sec. 5303 - This section would require VA to create an anti-harassment and anti-sexual assault policy and designate points of contact at various levels of VA, including each facility, to receive reports of harassment. It would also create a working group to assist in implementing the policy. *S. 514/H.R. 3224 – Rep. Brownley [D-CA]*

Sec. 5304 - This section would create a pilot program to care for survivors of intimate partner violence, including establishing local intimate partner violence coordinators who can work with former servicemembers and local community partners. *S. 514/ H.R. 3224 – Rep. Brownley [D-CA]*

Sec. 5305 - This section would require a baseline study on the prevalence of intimate partner violence amongst veterans and the creation of a task force, in consultation with HHS and the Attorney General, to develop a national program to address intimate partner violence and sexual assault amongst veterans. *S. 514/ H.R. 3224 – Rep. Brownley [D-CA]*

Subtitle D – Data Collection and Reporting

Sec. 5401 - This section would require VA to collect and analyze data for every program that serves veterans, including the Transition Assistance Program, by gender and race/ethnicity, and would require that they publish the data that does not undermine anonymity of veterans. *S. 514*

Sec. 5402 - This section would require VA to study the barriers women veterans face when accessing care and benefits from VA by conducting a survey of women veterans and requiring relevant VA officials to review such survey, including the Under Secretary for Health, the Office of Women’s Health, the Center for Women Veterans, and the Advisory Committee on Women Veterans. The results of the survey and any recommendations for administrative or legislative actions would be submitted to Congress. *S. 514/ H.R. 3224 – Rep. Brownley [D-CA]*

Sec. 5403 - This section would direct VA to conduct a feasibility and advisability study on providing Parenting STAIR at all VA Medical Centers. *S. 514*

Subtitle E – Benefits Matters

Sec. 5501 - This section would require specialized teams to process MST claims to address a recent OIG-identified decline in accuracy and grant rates. This section would also require reports from VA to track consistency of decisions on MST claims across regional offices, as well as data like number of claims approved and denied, claims submitted by sex, and the three most common reasons given for denials. - *H.R. 1092 – Rep. Chellie Pingree [D-ME]*

Sec. 5502 - This section would allow veterans who are receiving a disability exam in relation to a claim for a mental or physical health condition based on MST to choose the sex of the medical provider who would provide that exam. - *Senate Provision*

Sec. 5503 - This section would require VA to report on its progress implementing OIG recommendations from the report “Denied Posttraumatic Stress Disorder Claims Related to Military Sexual Trauma.” - *Senate Provision*

Title VI – Representation and Financial Exploitation Matters

Sec. 6001 - Short title - *Senate Provision*

Sec. 6002 - This section would direct the Secretary to develop a plan to assess and address financial exploitation of veterans and submit such a plan to Congress not later than one year after enactment. - *Senate Provision*

Sec. 6003 - This section would direct the Secretary to update guidance and training for pension claims processors as necessary, but at least once every three years, and would direct the development of a method for identifying and tracking the numbers of individuals who have received overpayments of pension under Chapter 15, title 38, U.S.C. This section would also require an annual report for each fiscal year after enactment. - *Senate Provision*

Sec. 6004 - This section would direct the Under Secretary of Benefits of the VA to conduct an evaluation of the feasibility and advisability of requiring pension claims processors to take additional action to verify that a beneficiary's direct deposit information is correct and to identify such legislative or administrative actions necessary to ensure that payments of pension are provided to the correct recipients. This section would require a report on the findings of this evaluation no later than 240 days after enactment. - *Senate Provision*

Sec. 6005 - This section would require the Secretary to submit a report to Senate and House Veterans' Affairs Committees, not less frequently than once each year, on efforts to address the financial exploitation of individuals receiving pension under Chapter 15, title 38, U.S.C. - *Senate Provision*

Sec. 6006 - This section would direct the Under Secretary for Benefits to ensure every paper or electronic document relating to the receipt of pension under Chapter 15, title 38, U.S.C., that is available for individuals to apply for such pension, includes a notice that the Department does not charge any fee in connection with the filing of an application for such pension. - *Senate Provision*

Sec. 6007 - This section would require the Under Secretary for Benefits to develop an outreach plan for educating vulnerable individuals about potential financial exploitation relating to receipt of pension under Chapter 15, title 38, U.S.C. This section would also require a report to Congress not later than 180 days after enactment. - *Senate Provision*

Title VII – Other Matters

Subtitle A – Administrative and Other Matters

Sec. 7001 – This section would require VA to develop and implement a national protocol for administering medical examinations to volunteer drivers as a pilot program, then implement the protocol across the entire network in phases once pilot has been deemed successful. S. 850/ H. R. 4524 - *Rep. Larson [D-WA] and Rep Thornberry [R-TX]*

Sec. 7002 – This section would add new section 547 to title 38, U.S.C., establishing an Advisory Committee on Tribal and Indian Affairs to advise the VA Secretary on matters relating to Indian tribes, tribal organizations, and Native American veterans. This section would set the parameters for membership, duties, and reporting requirements for the advisory committee. S. 524/ H.R. 2791 – *Rep Haaland [D-NM], Rep Cole [R-OK], and Rep Gallagher [R-WI]*

Sec. 7003 – This section would authorize the Secretary to give preference to offerors that employ veterans, in awarding a VA contract for the procurement of goods or services. - *H.R. 2109 – Rep. Kathleen Rice [D-NY] and Rep. Paul Cook [R-CA]*

Sec. 7004 – This section would extend USERRA protections to National Guardsmen who serve at least 14 days on State Active Duty orders, or are called up to respond to a National Emergency by the President, or are called up to a federal natural disaster emergency. - *H.R. 7785 – Rep. Max Rose [D-NY]*

Sec. 7005 – This section would require VA to pay a beneficiary (or the beneficiary's successor fiduciary) the amount of the misused benefit when any fiduciary has misused all or part of an individual's benefit. Specifically, the bill would require this payment in any case not involving negligent failure by the VA to investigate or monitor a fiduciary but where a fiduciary misuses all or part of an individual's benefit. The bill removes the stipulation that the fiduciary (1) not be an individual, or (2) serve at least 10 beneficiaries for the VA to repay misused benefits. - *H.R. 592 – Rep. Julia Brownley [D-CA]*

Sec. 7006 – This section would provide that any amounts transferred to a nonprofit research corporation after September 30, 2016 shall be available without regard to fiscal year limitations. *H. R. 1947 – Rep. Roe [R-TN] and Rep. Brindisi [D-NY]*

Sec. 7007 – This section would require the Secretary to provide a detailed report to Congress on how the VA is addressing areas of concern in the GAO's 2019 High-Risk List regarding acquisition management and managing risks and improving health care. *H.R. 4477 – Rep. Pappas [D-NH] and Rep. Bergman [R-MI]*

Sec. 7008 – This section would require the Secretary to report to Congress on the implementation of the GAO's priority recommendations for the VA. *HR 698 – Rep. Banks [R-IN] and Rep. Meadows [R-NC]/ H.R. 4477 – Rep. Pappas [D-NH] and Rep. Bergman [R-MI]*

Sec. 7009 – This section would clarify the methods used to monitor compliance with certain limitations on subcontracting. PL 116-183, states VA will use eSRS along with other systems in their new process to police improper pass-throughs. Currently eSRS is incapable of monitoring, so a modification to the PL will allow them to use other systems. by inserting “or any other”. – *Technical correction to H.R. 561 – Rep. Jack Bergman [R-MI] / Rep. Neal Dunn [R-FL] / Rep. Ann Kuster [D-NH]*

Sec. 7010 - This section would require the VA to provide notice to individuals filing claims for damage, injury, or death on standard form 95 as to the employment status of any individual named on the form, including if they are a contractor to the Department. *S. 4883/ H.R. 4526 – Rep. Levin [D-CA] and Rep. Meadows [R-NC]*

Subtitle B – Matters Relating to the Chief Financial Officer of the Department of Veterans Affairs

Sec. 7101 – This section defines the terms “appropriate congressional committees” and “subordinate chief financial officer” for this subtitle. – *H.R. 6589 – Rep. Susie Lee [D-NV] / Rep. Jack Bergman [R-MI]*

Sec. 7102 – This section would require the VA to report to Congress with a complete plan that conforms with the CFO Act, NLT than 180 days after enactment, and for the subsequent three years. – *H.R. 6589 – Rep. Susie Lee [D-NV] / Rep. Jack Bergman [R-MI]*

Sec. 7103 – This section would require a certification of the responsibility of the Chief Financial Officer for internal financial controls of the Department, and an attestation that the Chief Financial Officer has collaborated sufficiently with the subordinate chief financial officers of the Department to be confident in the financial projections included the budget request and supporting materials. – *H.R. 6589 – Rep. Susie Lee [D-NV] / Rep. Jack Bergman [R-MI]*

Sec. 7104 – This section would require the Chief Financial Officer within the Office of Management of the Department to participate in the interview and selection panels of all subordinate chief financial officers give input into the performance plans and performance evaluations of all subordinate chief financial officers. – *H.R. 6589 – Rep. Susie Lee [D-NV] / Rep. Jack Bergman [R-MI]*

Subtitle C – Servicemembers Civil Relief

Sec. 7201 - This section would allow a servicemember to electronically deliver a valid, enforceable notice of termination of their residential or car leases, including by 1) email, 2) posting material to a website or other site to which the parties to a lease have secure access, or 3) other electronic means that would reasonably ensure actual receipt of the notice of termination.- *H.R. 7529 – Rep. Cheri Bustos [D-IL] and Rep. Brad Wenstrup [R-OH]*

Sec. 7202 - This section would make a technical correction to allow a member of the United States Coast Guard to have extended SCRA protections for leases due to a stop movement order. – *Senate Provision*