

110TH CONGRESS
1ST SESSION

H. R. 1315

IN THE SENATE OF THE UNITED STATES

JULY 31, 2007

Received

AUGUST 3, 2007

Read twice and referred to the Committee on Veterans' Affairs

AN ACT

To amend title 38, United States Code, to make certain improvements in the benefits provided to veterans under laws administered by the Secretary of Veterans Affairs, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Veterans’ Benefits Im-
3 provement Act of 2007”.

4 **SEC. 2. PROVISION OF SPECIALLY ADAPTIVE HOUSING AS-**
5 **SISTANCE TO DISABLED MEMBERS OF THE**
6 **ARMED FORCES RESIDING TEMPORARILY IN**
7 **HOUSING OWNED BY A FAMILY MEMBER.**

8 Section 2102A of title 38, United States Code, is
9 amended—

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

12 (2) by inserting after subsection (c) the fol-
13 lowing new subsection (d):

14 “(d) ASSISTANCE FOR MEMBERS OF THE ARMED
15 FORCES.—The Secretary may provide assistance under
16 subsection (a) to a member of the Armed Forces serving
17 on active duty who is suffering from a disability described
18 in subsection (a)(2) or (b)(2) of section 2101 of this title
19 if such disability is the result of an injury incurred or dis-
20 ease contracted in or aggravated in line of duty in the
21 active military, naval, or air service. Such assistance shall
22 be provided to the same extent as assistance is provided
23 under subsection (a) to veterans eligible for assistance
24 under that subsection and subject to the limitation under
25 subsection (e).”.

1 **SEC. 3. VISUAL IMPAIRMENT AND ORIENTATION AND MO-**
2 **BILITY PROFESSIONALS EDUCATION ASSIST-**
3 **ANCE PROGRAM.**

4 (a) ESTABLISHMENT OF PROGRAM.—Chapter 76 of
5 title 38, United States Code, is amended by adding at the
6 end the following new subchapter:

7 “SUBCHAPTER VIII—VISUAL IMPAIRMENT AND
8 ORIENTATION AND MOBILITY PROFES-
9 SIONALS SCHOLARSHIP PROGRAM

10 **“§ 7691. Authority for program**

11 “As part of the Educational Assistance Program and
12 subject to the availability of appropriations for such pur-
13 pose, the Secretary shall carry out a scholarship program
14 under this subchapter. The program shall be known as the
15 Department of Veterans Affairs Visual Impairment and
16 Orientation and Mobility Professionals Scholarship Pro-
17 gram (hereinafter in this subchapter referred to as the
18 ‘Program’). The purpose of the Program is to increase the
19 supply of qualified blind rehabilitation specialists for the
20 Department and the Nation.

21 **“§ 7692. Eligibility; agreement**

22 “(a) ELIGIBILITY.—To be eligible to participate in
23 the Program, an individual must be accepted for enroll-
24 ment or enrolled (as described in section 7602 of this title)
25 as a full-time or part-time student in a field of education
26 or training described in subsection (b).

1 “(b) QUALIFYING FIELDS OF EDUCATION OR TRAIN-
2 ING.—A field of education or training described in this
3 subsection is education or training leading to—

4 “(1) a degree or certificate in visual impairment
5 or orientation and mobility, or a dual degree or cer-
6 tification in both such areas; and

7 “(2) appointment or retention in a position
8 under section 7401 of this title.

9 “(c) AGREEMENT.—(1) An agreement between the
10 Secretary and a participant in the Program shall (in addi-
11 tion to the requirements set forth in section 7604 of this
12 title) include the following:

13 “(A) The Secretary’s agreement to provide the
14 participant with a scholarship under the Program
15 for a specified number (from one to three) of school
16 years during which the participant pursues a course
17 of education or training described in subsection (b)
18 that meets the requirements set forth in section
19 7602(a) of this title.

20 “(B) The participant’s agreement to serve as a
21 full-time employee in the Veterans Health Adminis-
22 tration for a period of three years (hereinafter in
23 this subchapter referred to as the ‘period of obli-
24 gated service’) during the six-year period beginning
25 on the date the participant completes the education

1 or training and receives a degree or certificate de-
2 scribed in subsection (b)(1).

3 “(C) The participant’s agreement to serve
4 under subparagraph (B) in a Department facility se-
5 lected by the Secretary.

6 “(2) In a case in which an extension is granted under
7 section 7673(e)(2) of this title, the number of years for
8 which a scholarship may be provided under the Program
9 shall be the number of school years provided for as a result
10 of the extension.

11 “(3) In the case of a participant who is a part-time
12 student, the period of obligated service shall be reduced
13 in accordance with the proportion that the number of cred-
14 it hours carried by such participant in any such school
15 year bears to the number of credit hours required to be
16 carried by a full-time student in the course of training
17 being pursued by the participant, but in no event to less
18 than one year.

19 **“§ 7693. Scholarship**

20 “(a) SCHOLARSHIP.—A scholarship provided to a
21 participant in the Program for a school year shall consist
22 of payment of the tuition (or such portion of the tuition
23 as may be provided under subsection (b)) of the partici-
24 pant for that school year and payment of other reasonable

1 educational expenses (including fees, books, and labora-
2 tory expenses) for that school year.

3 “(b) AMOUNTS.—The total amount of the scholarship
4 payable under subsection (a)—

5 “(1) in the case of a participant in the Program
6 who is a full-time student, may not exceed \$15,000
7 for the equivalent of one year of full-time
8 coursework; and

9 “(2) in the case of a participant in the Program
10 who is a part-time student, shall bear the same ratio
11 to the amount that would be paid under paragraph
12 (1) if the participant were a full-time student in the
13 course of education or training being pursued by the
14 participant as the coursework carried by the partici-
15 pant to full-time coursework in that course of edu-
16 cation or training.

17 “(c) LIMITATIONS ON PERIOD OF PAYMENT.—(1)
18 The maximum number of school years for which a scholar-
19 ship may be paid under subsection (a) to a participant
20 in the Program shall be six school years.

21 “(2) A participant in the Program may not receive
22 a scholarship under subsection (a) for more than the
23 equivalent of three years of full-time coursework.

24 “(d) PAYMENT OF EDUCATIONAL EXPENSES BY
25 EDUCATIONAL INSTITUTIONS.—The Secretary may ar-

1 range with an educational institution in which a partici-
2 pant in the Program is enrolled for the payment of the
3 educational expenses described in subsection (a). Such
4 payments may be made without regard to subsections (a)
5 and (b) of section 3324 of title 31.

6 “(e) FULL-TIME COURSEWORK.—For purposes of
7 this section, full-time coursework shall consist of the fol-
8 lowing:

9 “(1) In the case of undergraduate coursework,
10 30 semester hours per undergraduate school year.

11 “(2) In the case of graduate coursework, 18 se-
12 mester hours per graduate school year.

13 **“§ 7694. Obligated service**

14 “(a) IN GENERAL.—Each participant in the Program
15 shall provide service as a full-time employee of the Depart-
16 ment for the period of obligated service provided in the
17 agreement of the participant entered into under section
18 7604 of this title. Such service shall be provided in the
19 full-time clinical practice of such participant’s profession
20 or in another health-care position in an assignment or lo-
21 cation determined by the Secretary.

22 “(b) DETERMINATION OF SERVICE COMMENCEMENT
23 DATE.—(1) Not later than 60 days before a participant’s
24 service commencement date, the Secretary shall notify the
25 participant of that service commencement date. That date

1 is the date for the beginning of the participant’s period
2 of obligated service.

3 “(2) As soon as possible after a participant’s service
4 commencement date, the Secretary shall—

5 “(A) in the case of a participant who is not a
6 full-time employee in the Veterans Health Adminis-
7 tration, appoint the participant as such an employee;
8 and

9 “(B) in the case of a participant who is an em-
10 ployee in the Veterans Health Administration but is
11 not serving in a position for which the participant’s
12 course of education or training prepared the partici-
13 pant, assign the participant to such a position.

14 “(3)(A) In the case of a participant receiving a de-
15 gree from a school of medicine, osteopathy, dentistry, op-
16 tometry, or podiatry, the participant’s service commence-
17 ment date is the date upon which the participant becomes
18 licensed to practice medicine, osteopathy, dentistry, op-
19 tometry, or podiatry, as the case may be, in a State.

20 “(B) In the case of a participant receiving a degree
21 from a school of nursing, the participant’s service com-
22 mencement date is the later of—

23 “(i) the participant’s course completion date; or

24 “(ii) the date upon which the participant be-
25 comes licensed as a registered nurse in a State.

1 “(C) In the case of a participant not covered by sub-
2 paragraph (A) or (B), the participant’s service commence-
3 ment date is the later of—

4 “(i) the participant’s course completion date; or

5 “(ii) the date the participant meets any applica-
6 ble licensure or certification requirements.

7 “(4) The Secretary shall by regulation prescribe the
8 service commencement date for participants who were
9 part-time students. Such regulations shall prescribe terms
10 as similar as practicable to the terms set forth in para-
11 graph (3). (c)

12 “(c) COMMENCEMENT OF OBLIGATED SERVICE.—(1)
13 Except as provided in paragraph (2), a participant in the
14 Program shall be considered to have begun serving the
15 participant’s period of obligated service—

16 “(A) on the date, after the participant’s course
17 completion date, on which the participant (in accord-
18 ance with subsection (b)) is appointed as a full-time
19 employee in the Veterans Health Administration; or

20 “(B) if the participant is a full-time employee
21 in the Veterans Health Administration on such
22 course completion date, on the date thereafter on
23 which the participant is assigned to a position for
24 which the participant’s course of training prepared
25 the participant.

1 and the circumstances under which an exception to the
2 required repayment may be granted.

3 “(c) WAIVER OR SUSPENSION OF COMPLIANCE.—
4 The Secretary shall prescribe regulations providing for the
5 waiver or suspension of any obligation of an individual for
6 service or payment under this subchapter (or an agree-
7 ment under this subchapter) whenever noncompliance by
8 the individual is due to circumstances beyond the control
9 of the individual or whenever the Secretary determines
10 that the waiver or suspension of compliance is in the best
11 interest of the United States.

12 “(d) OBLIGATION AS DEBT TO UNITED STATES.—
13 An obligation to repay the Secretary under this section
14 is, for all purposes, a debt owed the United States. A dis-
15 charge in bankruptcy under title 11 does not discharge
16 a person from such debt if the discharge order is entered
17 less than five years after the date of the termination of
18 the agreement or contract on which the debt is based.”.

19 (b) CLERICAL AMENDMENT.—The tables of sections
20 at the beginning of such chapter is amended by inserting
21 after the items relating to subchapter VII the following
22 new items:

“SUBCHAPTER VIII—VISUAL IMPAIRMENT AND ORIENTATION AND MOBILITY
PROFESSIONALS SCHOLARSHIP PROGRAM

“7691. Authority for program.

“7692. Eligibility; agreement.

“7693. Scholarship.

“7694. Obligated service.

“7695. Repayment for failure to satisfy requirements of agreement.”.

1 (c) CONFORMING AMENDMENTS.—Such chapter is
2 further amended—

3 (1) in section 7601(a)—

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

6 (B) in paragraph (5), by striking the pe-
7 riod and inserting “; and”; and

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

10 “(6) the Visual Impairment and Orientation
11 and Mobility Professionals Scholarship Program pro-
12 vided for in subchapter VIII of this chapter.”;

13 (2) in section 7602—

14 (A) in subsection (a)(1)—

15 (i) by striking “or VI” and inserting
16 “VI, or VIII”; and

17 (ii) by striking “or for which a schol-
18 arship may be awarded under subchapter
19 VI of this chapter” and inserting “for
20 which a scholarship may be awarded under
21 subchapter VI of this chapter, or for which
22 a scholarship may be awarded under sub-
23 chapter VIII of this chapter”; and

24 (B) in subsection (b), by striking “or VI”
25 and inserting “VI, or VIII”;

1 (3) in section 7603(a)(1), by striking “or VI”
2 and inserting “VI, or VIII”; and

3 (4) in section 7604, by striking “or VI” each
4 place it appears and inserting “VI, or VIII”.

5 (d) **EFFECTIVE DATE.**—The Secretary of Veterans
6 Affairs shall implement subchapter VIII of chapter 76 of
7 title 38, United States Code, as added by subsection (a),
8 not later than six months after the date of the enactment
9 of this Act.

10 **SEC. 4. VETERANS’ REEMPLOYMENT RIGHTS REPORT IM-**
11 **PROVEMENT.**

12 (a) **ADDITIONAL REPORT REQUIREMENTS.**—Section
13 4332 of title 38, United States Code, is amended—

14 (1) by striking “The Secretary shall” and in-
15 serting “(a) **REPORT REQUIRED.**—The Secretary
16 shall”;

17 (2) by redesignating paragraphs (4) through
18 (6) as paragraphs (5) through (7), respectively, and
19 inserting after paragraph (3) the following new
20 paragraph (4):

21 “(4) The number of cases reviewed by the Sec-
22 retary of Defense under the National Committee for
23 Employer Support of the Guard and Reserve of the
24 Department of Defense during the fiscal year for
25 which the report is made.”.

1 (3) in paragraph (5), as so redesignated, by
2 striking “or (3)” and inserting “(3), or (4)”;

3 (4) by redesignating paragraph (7), as so redesi-
4 gnated, as paragraph (8), and inserting after para-
5 graph (6) the following new paragraph (7):

6 “(7) An indication of which of the cases re-
7 ported on pursuant to paragraphs (1), (2), (3), and
8 (4) are disability-related.”.

9 (5) by adding at the end the following new sub-
10 sections:

11 “(b) UNIFORM CATEGORIZATION OF DATA.—The
12 Secretary shall coordinate with the Secretary of Defense,
13 the Secretary of Veterans Affairs, the Attorney General,
14 and the Special Counsel to ensure that the information
15 required to be submitted as part of the report under sub-
16 section (a) is categorized in a uniform way.

17 “(c) PROVISION OF INFORMATION.—The Secretary
18 shall provide the information contained in the report re-
19 quired under subsection (a) to the Secretary of Defense,
20 the Secretary of Veterans Affairs, the Attorney General,
21 and the Special Counsel.”.

22 (b) EFFECTIVE DATE.—The amendments made by
23 this section shall apply with respect to a report submitted
24 after the date of the enactment of this Act.

1 **SEC. 5. INCREASE IN NUMBER OF MEMBERS OF ADVISORY**
2 **COMMITTEE ON VETERANS EMPLOYMENT,**
3 **TRAINING, AND EMPLOYER OUTREACH.**

4 Section 4110(e)(1) of title 38, United States Code,
5 is amended by striking “15” and inserting “16”.

Passed the House of Representatives July 30, 2007.

Attest: **LORRAINE C. MILLER,**
Clerk.