

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

*September 28, 2010.*

*Resolved*, That the bill from the House of Representatives (H.R. 3219) entitled “An Act to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to insurance and health care, 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 “Veterans’ Benefits Act of 2010”.*

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

*Sec. 1. Short title; table of contents.*

*Sec. 2. References to title 38, United States Code.*

*TITLE I—EMPLOYMENT, SMALL BUSINESS, AND EDUCATION  
MATTERS*

- Sec. 101. Extension and expansion of authority for certain qualifying work-study activities for purposes of the educational assistance programs of the Department of Veterans Affairs.*
- Sec. 102. Reauthorization of Veterans' Advisory Committee on Education.*
- Sec. 103. 18-month period for training of new disabled veterans' outreach program specialists and local veterans' employment representatives by National Veterans' Employment and Training Services Institute.*
- Sec. 104. Clarification of responsibility of Secretary of Veterans Affairs to verify small business ownership.*
- Sec. 105. Demonstration project for referral of USERRA claims against Federal agencies to the Office of Special Counsel.*
- Sec. 106. Veterans Energy-Related Employment Program.*
- Sec. 107. Pat Tillman Veterans' Scholarship Initiative.*

*TITLE II—HOUSING AND HOMELESSNESS MATTERS*

- Sec. 201. Reauthorization of appropriations for Homeless Veterans Reintegration Program.*
- Sec. 202. Homeless women veterans and homeless veterans with children reintegration grant program.*
- Sec. 203. Specially Adapted Housing assistive technology grant program.*
- Sec. 204. Waiver of housing loan fee for certain veterans with service-connected disabilities called to active service.*

*TITLE III—SERVICEMEMBERS CIVIL RELIEF ACT MATTERS*

- Sec. 301. Residential and motor vehicle leases.*
- Sec. 302. Termination of telephone service contracts.*
- Sec. 303. Enforcement by the Attorney General and by private right of action.*

*TITLE IV—INSURANCE MATTERS*

- Sec. 401. Increase in amount of supplemental insurance for totally disabled veterans.*
- Sec. 402. Permanent extension of duration of Servicemembers' Group Life Insurance coverage for totally disabled veterans.*
- Sec. 403. Adjustment of coverage of dependents under Servicemembers' Group Life Insurance.*
- Sec. 404. Opportunity to increase amount of Veterans' Group Life Insurance.*
- Sec. 405. Elimination of reduction in amount of accelerated death benefit for terminally-ill persons insured under Servicemembers' Group Life Insurance and Veterans' Group Life Insurance.*
- Sec. 406. Consideration of loss of dominant hand in prescription of schedule of severity of traumatic injury under Servicemembers' Group Life Insurance.*
- Sec. 407. Enhancement of veterans' mortgage life insurance.*
- Sec. 408. Expansion of individuals qualifying for retroactive benefits from traumatic injury protection coverage under Servicemembers' Group Life Insurance.*

*TITLE V—BURIAL AND CEMETERY MATTERS*

- Sec. 501. Increase in certain burial and funeral benefits and plot allowances for veterans.*
- Sec. 502. Interment in national cemeteries of parents of certain deceased veterans.*
- Sec. 503. Reports on selection of new national cemeteries.*

*TITLE VI—COMPENSATION AND PENSION*

- Sec. 601. Enhancement of disability compensation for certain disabled veterans with difficulties using prostheses and disabled veterans in need of regular aid and attendance for residuals of traumatic brain injury.*
- Sec. 602. Cost-of-living increase for temporary dependency and indemnity compensation payable for surviving spouses with dependent children under the age of 18.*
- Sec. 603. Payment of dependency and indemnity compensation to survivors of former prisoners of war who died on or before September 30, 1999.*
- Sec. 604. Exclusion of certain amounts from consideration as income for purposes of veterans pension benefits.*
- Sec. 605. Commencement of period of payment of original awards of compensation for veterans retired or separated from the uniformed services for catastrophic disability.*
- Sec. 606. Applicability of limitation to pension payable to certain children of veterans of a period of war.*
- Sec. 607. Extension of reduced pension for certain veterans covered by Medicaid plans for services furnished by nursing facilities.*
- Sec. 608. Codification of 2009 cost-of-living adjustment in rates of pension for disabled veterans and surviving spouses and children.*

*TITLE VII—EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES*

- Sec. 701. Clarification that USERRA prohibits wage discrimination against members of the Armed Forces.*
- Sec. 702. Clarification of the definition of “successor in interest”.*
- Sec. 703. Technical amendments.*

*TITLE VIII—BENEFITS MATTERS*

- Sec. 801. Increase in number of veterans for which programs of independent living services and assistance may be initiated.*
- Sec. 802. Payment of unpaid balances of Department of Veterans Affairs guaranteed loans.*
- Sec. 803. Eligibility of disabled veterans and members of the Armed Forces with severe burn injuries for automobiles and adaptive equipment.*
- Sec. 804. Enhancement of automobile assistance allowance for veterans.*
- Sec. 805. National Academies review of best treatments for chronic multisymptom illness in Persian Gulf War veterans.*
- Sec. 806. Extension and modification of National Academy of Sciences reviews and evaluations on illness and service in Persian Gulf War and Post-9/11 Global Operations Theaters.*
- Sec. 807. Extension of authority for regional office in Republic of the Philippines.*
- Sec. 808. Extension of an annual report on equitable relief.*
- Sec. 809. Authority for the performance of medical disability examinations by contract physicians.*

*TITLE IX—AUTHORIZATION OF MEDICAL FACILITY PROJECTS AND  
MAJOR MEDICAL FACILITY LEASES*

- Sec. 901. Authorization of fiscal year 2011 major medical facility leases.*  
*Sec. 902. Modification of authorization amount for major medical facility construction project previously authorized for the Department of Veterans Affairs Medical Center, New Orleans, Louisiana.*  
*Sec. 903. Modification of authorization amount for major medical facility construction project previously authorized for the Department of Veterans Affairs Medical Center, Long Beach, California.*  
*Sec. 904. Authorization of appropriations.*  
*Sec. 905. Requirement that bid savings on major medical facility projects of Department of Veterans Affairs be used for other major medical facility construction projects of the Department.*

*TITLE X—OTHER MATTERS*

- Sec. 1001. Technical corrections.*  
*Sec. 1002. Statutory Pay-As-You-Go Act compliance.*

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 a repeal of, a section or other provi-*  
 5 *sion, the reference shall be considered to be made to a section*  
 6 *or other provision of title 38, United States Code.*

7 **TITLE I—EMPLOYMENT, SMALL**  
 8 **BUSINESS, AND EDUCATION**  
 9 **MATTERS**

10 **SEC. 101. EXTENSION AND EXPANSION OF AUTHORITY FOR**  
 11 **CERTAIN QUALIFYING WORK-STUDY ACTIVI-**  
 12 **TIES FOR PURPOSES OF THE EDUCATIONAL**  
 13 **ASSISTANCE PROGRAMS OF THE DEPART-**  
 14 **MENT OF VETERANS AFFAIRS.**

15 *(a) EXTENSION.—Paragraph (4) of section 3485(a) is*  
 16 *amended by striking “June 30, 2010” each place it appears*  
 17 *and inserting “June 30, 2013”.*

1       **(b) ACTIVITIES IN STATE VETERANS AGENCIES.**—  
2 *Such paragraph is further amended by adding at the end*  
3 *the following new subparagraphs:*

4               “(G) *Any activity of a State veterans agency re-*  
5 *lated to providing assistance to veterans in obtaining*  
6 *any benefit under the laws administered by the Sec-*  
7 *retary or the laws of the State.*

8               “(H) *A position working in a Center of Excel-*  
9 *lence for Veteran Student Success, as established pur-*  
10 *suant to part T of title VIII of the Higher Education*  
11 *Act of 1965 (20 U.S.C. 1161t et seq.).*

12               “(I) *A position working in a cooperative pro-*  
13 *gram carried out jointly by the Department and an*  
14 *institution of higher learning.*

15               “(J) *Any other veterans-related position in an*  
16 *institution of higher learning.”.*

17       **(c) EFFECTIVE DATE.**—*The amendment made by sub-*  
18 *section (b) shall take effect on October 1, 2011.*

19 **SEC. 102. REAUTHORIZATION OF VETERANS’ ADVISORY**  
20 **COMMITTEE ON EDUCATION.**

21       *Section 3692(c) is amended by striking “December 31,*  
22 *2009” and inserting “December 31, 2013”.*

1 **SEC. 103. 18-MONTH PERIOD FOR TRAINING OF NEW DIS-**  
2 **ABLED VETERANS' OUTREACH PROGRAM SPE-**  
3 **CIALISTS AND LOCAL VETERANS' EMPLOY-**  
4 **MENT REPRESENTATIVES BY NATIONAL VET-**  
5 **ERANS' EMPLOYMENT AND TRAINING SERV-**  
6 **ICES INSTITUTE.**

7 (a) 18-MONTH PERIOD.—Section 4102A(c)(8)(A) is  
8 amended by striking “three-year period” and inserting “18-  
9 month period”.

10 (b) EFFECTIVE DATE.—

11 (1) APPLICABILITY TO NEW EMPLOYEES.—The  
12 amendment made by subsection (a) shall apply with  
13 respect to a State employee assigned to perform the  
14 duties of a disabled veterans' outreach program spe-  
15 cialist or a local veterans' employment representative  
16 under chapter 41 of title 38, United States Code, who  
17 is so assigned on or after the date of the enactment  
18 of this Act.

19 (2) APPLICABILITY TO PREVIOUSLY-HIRED EM-  
20 PLOYEES.—In the case of such a State employee who  
21 is so assigned on or after January 1, 2006, and before  
22 the date of the enactment of this Act, the Secretary of  
23 Labor shall require the State to require, as a condi-  
24 tion of a grant or contract under which funds are  
25 made available to the State in order to carry out sec-  
26 tion 4103A or 4104 of title 38, United States Code,

1       *each such employee to satisfactorily complete the*  
2       *training described in section 4102A(c)(8)(A) of such*  
3       *title by not later than the date that is 18 months after*  
4       *the date of the enactment of this Act.*

5       **SEC. 104. CLARIFICATION OF RESPONSIBILITY OF SEC-**  
6                       **RETARY OF VETERANS AFFAIRS TO VERIFY**  
7                       **SMALL BUSINESS OWNERSHIP.**

8       *(a) SHORT TITLE.—This section may be cited as the*  
9       *“Veterans Small Business Verification Act”.*

10       *(b) CLARIFICATION OF RESPONSIBILITY OF SEC-*  
11       *RETARY OF VETERANS AFFAIRS TO VERIFY SMALL BUSI-*  
12       *NESS OWNERSHIP.—*

13               *(1) CLARIFICATION.—Section 8127(f) is amend-*  
14       *ed—*

15                       *(A) in paragraph (2)—*

16                               *(i) by inserting “(A)” before “To be el-*  
17                               *igible”;*

18                               *(ii) by inserting after “or the veteran.”*  
19                               *the following new sentence: “Application for*  
20                               *inclusion in the database shall constitute*  
21                               *permission under section 552a of title 5*  
22                               *(commonly referred to as the Privacy Act)*  
23                               *for the Secretary to access such personal in-*  
24                               *formation maintained by the Secretary as*

1           *may be necessary to verify the information*  
2           *contained in the application.”; and*

3                   *(iii) by inserting after the sentence*  
4           *added by clause (ii) the following new sub-*  
5           *paragraph:*

6           *“(B) If the Secretary receives an application for inclu-*  
7           *sion in the database from an individual whose status as*  
8           *a veteran cannot be verified because the Secretary does not*  
9           *maintain information with respect to the veteran status of*  
10           *the individual, the Secretary may not include the small*  
11           *business concern owned and controlled by the individual in*  
12           *the database maintained by the Secretary until the Sec-*  
13           *retary receives such information as may be necessary to*  
14           *verify that the individual is a veteran.”; and*

15                   *(B) by striking paragraph (4) and inserting*  
16           *the following new paragraph (4):*

17           *“(4) No small business concern may be listed in the*  
18           *database until the Secretary has verified that—*

19                   *“(A) the small business concern is owned and*  
20           *controlled by veterans; and*

21                   *“(B) in the case of a small business concern for*  
22           *which the person who owns and controls the concern*  
23           *indicates that the person is a veteran with a service-*  
24           *connected disability, that the person is a veteran with*  
25           *a service-connected disability.”.*



1           (2) *APPLICABILITY.*—*In the case of a small busi-*  
2 *ness concern included in the database as of the date*  
3 *of the enactment of this Act for which, as of such date,*  
4 *the Secretary of Veterans Affairs has not verified the*  
5 *status of such concern in accordance with paragraph*  
6 *(4) of subsection (f) of section 8127 of title 38, United*  
7 *States Code, as amended by paragraph (1), not later*  
8 *than 60 days after the date of the enactment of this*  
9 *Act, the Secretary shall notify the person who owns*  
10 *and controls the concern that—*

11           (A) *the Secretary is required to verify the*  
12 *status of the concern in accordance with such*  
13 *paragraph, as so amended;*

14           (B) *verification of such status shall require*  
15 *that the person who owns and controls the con-*  
16 *cern apply for inclusion in the database in ac-*  
17 *cordance with such subsection, as so amended;*

18           (C) *application for inclusion in the data-*  
19 *base shall constitute permission under section*  
20 *552a of title 5, United States Code (commonly*  
21 *referred to as the Privacy Act), for the Secretary*  
22 *to access such personal information maintained*  
23 *by the Secretary as may be necessary to verify*  
24 *the information contained in the application;*  
25 *and*

1           (D) the person who owns and controls the  
2 concern must submit to the Secretary all infor-  
3 mation required by the Secretary under this  
4 paragraph within 90 days of receiving the Sec-  
5 retary's notice of such requirement or the concern  
6 shall be removed from the database.

7 **SEC. 105. DEMONSTRATION PROJECT FOR REFERRAL OF**  
8 **USERRA CLAIMS AGAINST FEDERAL AGEN-**  
9 **CIES TO THE OFFICE OF SPECIAL COUNSEL.**

10       (a) *ESTABLISHMENT OF PROJECT.*—The Secretary of  
11 Labor and the Office of Special Counsel shall carry out a  
12 36-month demonstration project under which certain claims  
13 against Federal executive agencies under chapter 43 of title  
14 38, United States Code, are referred to, or otherwise received  
15 by, the Office of Special Counsel for assistance, including  
16 investigation and resolution of the claim as well as enforce-  
17 ment of rights with respect to the claim. The demonstration  
18 program shall begin not later than 60 days after the Comp-  
19 troller General of the United States submits the report re-  
20 quired under subsection (e)(3).

21       (b) *REFERRAL OF ALL PROHIBITED PERSONNEL*  
22 *PRACTICE CLAIMS TO THE OFFICE OF SPECIAL COUN-*  
23 *SEL.*—

24           (1) *IN GENERAL.*—Under the demonstration  
25 project, the Office of Special Counsel shall receive and

1 *investigate all claims under chapter 43 of title 38,*  
2 *United States Code, with respect to Federal executive*  
3 *agencies in cases where the Office of Special Counsel*  
4 *has jurisdiction over related claims pursuant to sec-*  
5 *tion 1212 of title 5, United States Code.*

6 (2) *RELATED CLAIMS.*—*For purposes of para-*  
7 *graph (1), a related claim is a claim involving the*  
8 *same Federal executive agency and the same or simi-*  
9 *lar factual allegations or legal issues as those being*  
10 *pursued under a claim under chapter 43 of title 38,*  
11 *United States Code.*

12 (c) *REFERRAL OF OTHER CLAIMS AGAINST FEDERAL*  
13 *EXECUTIVE AGENCIES.*—

14 (1) *IN GENERAL.*—*Under the demonstration*  
15 *project, the Secretary—*

16 (A) *shall refer to the Office of Special Coun-*  
17 *sel all claims described in paragraph (2) made*  
18 *during the period of the demonstration project;*  
19 *and*

20 (B) *may refer any claim described in para-*  
21 *graph (2) filed before the demonstration project*  
22 *that is pending before the Secretary at the begin-*  
23 *ning of the demonstration project.*

24 (2) *CLAIMS DESCRIBED.*—*A claim described in*  
25 *this paragraph is a claim under chapter 43 of title*

1 38, *United States Code*, against a *Federal executive*  
2 *agency by a claimant with a social security account*  
3 *number with an odd number as its terminal digit or,*  
4 *in the case of a claim that does not contain a social*  
5 *security account number, a case number assigned to*  
6 *the claim with an odd number as its terminal digit.*

7 *(d) ADMINISTRATION OF DEMONSTRATION PROJECT.—*

8 (1) *IN GENERAL.—The Office of Special Counsel*  
9 *shall administer the demonstration project. The Sec-*  
10 *retary shall cooperate with the Office of Special Coun-*  
11 *sel in carrying out the demonstration project.*

12 (2) *TREATMENT OF CERTAIN TERMS IN CHAPTER*  
13 *43 OF TITLE 38, UNITED STATES CODE.—In the case*  
14 *of any claim referred to, or otherwise received by, the*  
15 *Office of Special Counsel under the demonstration*  
16 *project, any reference to the “Secretary” in sections*  
17 *4321, 4322, and 4326 of title 38, United States Code,*  
18 *is deemed to be a reference to the “Office of Special*  
19 *Counsel”.*

20 (3) *ADMINISTRATIVE JURISDICTION.—In the case*  
21 *of any claim referred to, or otherwise received by, the*  
22 *Office of Special Counsel under the demonstration*  
23 *project, the Office of Special Counsel shall retain ad-*  
24 *ministrative jurisdiction over the claim.*

1       (e) *DATA COMPARABILITY FOR REVIEWING AGENCY*  
2 *PERFORMANCE.*—

3           (1) *IN GENERAL.*—*To facilitate the review of the*  
4 *relative performance of the Office of Special Counsel*  
5 *and the Department of Labor during the demonstra-*  
6 *tion project, the Office of Special Counsel and the De-*  
7 *partment of Labor shall jointly establish methods and*  
8 *procedures to be used by both the Office and the De-*  
9 *partment during the demonstration project. Such*  
10 *methods and procedures shall include each of the fol-*  
11 *lowing:*

12                   (A) *Definitions of performance measures,*  
13 *including—*

14                           (i) *customer satisfaction;*

15                           (ii) *cost (such as, but not limited to,*  
16 *average cost per claim);*

17                           (iii) *timeliness (such as, but not lim-*  
18 *ited to, average processing time, case age);*

19                           (iv) *capacity (such as, but not limited*  
20 *to, staffing levels, education, grade level,*  
21 *training received, caseload); and*

22                           (v) *case outcomes.*

23                   (B) *Definitions of case outcomes.*

24                   (C) *Data collection methods and timing of*  
25 *collection.*

1                   (D) *Data quality assurance processes.*

2                   (2) *JOINT REPORT TO CONGRESS.*—Not later  
3                   than 90 days after the date of the enactment of this  
4                   Act, the Special Counsel and the Secretary of Labor  
5                   shall jointly submit to the Committees on Veterans'  
6                   Affairs of the Senate and House of Representatives  
7                   and to the Comptroller General of the United States  
8                   a report describing the methods and procedures estab-  
9                   lished under paragraph (1).

10                  (3) *COMPTROLLER GENERAL REPORT.*—Not later  
11                  than 30 days after the date of the submittal of the re-  
12                  port under paragraph (2), the Comptroller General  
13                  shall submit to the Committees on Veterans' Affairs of  
14                  the Senate and House of Representatives a report on  
15                  the report submitted under paragraph (2) and may  
16                  provide recommendations for improving the methods  
17                  and procedures described therein.

18                  (f) *AGENCY DATA TO GOVERNMENT ACCOUNTABILITY*  
19                  *OFFICE.*—The Office of Special Counsel and the Secretary  
20                  of Labor shall submit to the Comptroller General such infor-  
21                  mation and data about the demonstration project as may  
22                  be required by the Comptroller General, from time to time  
23                  during the course of the demonstration project and at the  
24                  conclusion, in order for the Comptroller General to assess  
25                  the reliability of the demonstration data maintained by

1 *both the Office of Special Counsel and the Department of*  
2 *Labor and to review the relative performance of the Office*  
3 *and Department under the demonstration project.*

4 (g) *GOVERNMENT ACCOUNTABILITY OFFICE RE-*  
5 *PORT.—The Comptroller General shall review the relative*  
6 *performance of the Office of Special Counsel and the De-*  
7 *partment of Labor under the demonstration project and—*

8 (1) *not later than one year after the commence-*  
9 *ment of the demonstration project, and annually*  
10 *thereafter during the period when the demonstration*  
11 *project is conducted, submit to the Committees on Vet-*  
12 *erans' Affairs of the Senate and House of Representa-*  
13 *tives an interim report on the demonstration project;*  
14 *and*

15 (2) *not later than 90 days after the conclusion*  
16 *of the demonstration project, submit to such commit-*  
17 *tees a final report that includes the findings and con-*  
18 *clusions of the Comptroller General regarding the rel-*  
19 *ative performance of the Office and the Department*  
20 *under the demonstration project and such rec-*  
21 *ommendations as the Comptroller General determines*  
22 *are appropriate.*

1 **SEC. 106. VETERANS ENERGY-RELATED EMPLOYMENT PRO-**  
2 **GRAM.**

3 (a) *ESTABLISHMENT OF PILOT PROGRAM.—To en-*  
4 *courage the employment of eligible veterans in the energy*  
5 *industry, the Secretary of Labor, as part of the Veterans*  
6 *Workforce Investment Program, shall carry out a pilot pro-*  
7 *gram to be known as the “Veterans Energy-Related Em-*  
8 *ployment Program”.* Under the pilot program, the Sec-  
9 *retary shall award competitive grants to not more than*  
10 *three States for the establishment and administration of a*  
11 *State program to make grants to energy employers that pro-*  
12 *vide covered training, on-job training, apprenticeships, and*  
13 *certification classes to eligible veterans. Such a program*  
14 *shall be known as a “State Energy-Related Employment*  
15 *Program”.*

16 (b) *ELIGIBILITY FOR GRANTS.—To be eligible to re-*  
17 *ceive a grant under the pilot program, a State shall submit*  
18 *to the Secretary an application that includes each of the*  
19 *following:*

20 (1) *A proposal for the expenditure of grant funds*  
21 *to establish and administer a public-private partner-*  
22 *ship program designed to provide covered training,*  
23 *on-job training, apprenticeships, and certification*  
24 *classes to a significant number of eligible veterans*  
25 *and ensure lasting and sustainable employment in*  
26 *well-paying jobs in the energy industry.*



1           (2) *Evidence that the State has—*

2                   (A) *a population of eligible veterans of an*  
3                   *appropriate size to carry out the State program;*

4                   (B) *a robust and diverse energy industry;*

5                   *and*

6                   (C) *the ability to carry out the State pro-*  
7                   *gram described in the proposal under paragraph*

8                   (1).

9           (3) *Such other information and assurances as*  
10           *the Secretary may require.*

11           (c) *USE OF FUNDS.—A State that is the recipient of*  
12           *a grant under this section shall use the grant for the fol-*  
13           *lowing purposes:*

14                   (1) *Making grants to energy employers to reim-*  
15                   *burse such employers for the cost of providing covered*  
16                   *training, on-job training, apprenticeships, and cer-*  
17                   *tification classes to eligible veterans who are first*  
18                   *hired by the employer on or after November 1, 2010.*

19                   (2) *Conducting outreach to inform energy em-*  
20                   *ployers and veterans, including veterans in rural*  
21                   *areas, of their eligibility or potential eligibility for*  
22                   *participation in the State program.*

23           (d) *CONDITIONS.—Under the pilot program, each*  
24           *grant to a State shall be subject to the following conditions:*

1           (1) *The State shall repay to the Secretary, on*  
2 *such date as shall be determined by the Secretary,*  
3 *any amount received under the pilot program that is*  
4 *not used for the purposes described in subsection (c).*

5           (2) *The State shall submit to the Secretary, at*  
6 *such times and containing such information as the*  
7 *Secretary shall require, reports on the use of grant*  
8 *funds.*

9           (e) *EMPLOYER REQUIREMENTS.—In order to receive*  
10 *a grant made by a State under the pilot program, an en-*  
11 *ergy employer shall—*

12           (1) *submit to the administrator of the State En-*  
13 *ergy-Related Employment Program an application*  
14 *that includes—*

15           (A) *the rate of pay, during and after train-*  
16 *ing, for each eligible veteran proposed to be*  
17 *trained using grant funds;*

18           (B) *the average rate of pay for an indi-*  
19 *vidual employed by the energy employer in a*  
20 *similar position who is not an eligible veteran;*  
21 *and*

22           (C) *such other information and assurances*  
23 *as the administrator may require; and*

1           (2) agree to submit to the administrator, for each  
2       quarter, a report containing such information as the  
3       Secretary may specify.

4       (f) *LIMITATION.*—None of the funds made available to  
5       an energy employer through a grant under the pilot pro-  
6       gram may be used to provide training of any kind to—

7           (1) a person who is not an eligible veteran; or

8           (2) an eligible veteran for whom the employer  
9       has received a grant, credit, or subsidy under any  
10      other provision of law.

11      (g) *REPORT TO CONGRESS.*—Together with the report  
12      required to be submitted annually under section 4107(c) of  
13      title 38, United States Code, the Secretary shall submit to  
14      Congress a report on the pilot program for the year covered  
15      by such report. The report on the pilot program shall in-  
16      clude a detailed description of activities carried out under  
17      this section and an evaluation of the program.

18      (h) *ADMINISTRATIVE AND REPORTING COSTS.*—Of the  
19      amounts appropriated pursuant to the authorization of ap-  
20      propriations under subsection (j), two percent shall be made  
21      available to the Secretary for administrative costs associ-  
22      ated with implementing and evaluating the pilot program  
23      under this section and for preparing and submitting the  
24      report required under subsection (f). The Secretary shall de-  
25      termine the appropriate maximum amount of each grant

1 *awarded under this section that may be used by the recipi-*  
2 *ent for administrative and reporting costs.*

3 *(i) DEFINITIONS.—For purposes of this section:*

4 *(1) The term “covered training, on-job training,*  
5 *apprenticeships, and certification classes” means*  
6 *training, on-job training, apprenticeships, and cer-*  
7 *tification classes that are—*

8 *(A) designed to provide the veteran with*  
9 *skills that are particular to an energy industry*  
10 *and not directly transferable to employment in*  
11 *another industry; and*

12 *(B) approved as provided in paragraph (1)*  
13 *or (2), as appropriate, of subsection (a) of sec-*  
14 *tion 3687 of title 38, United States Code.*

15 *(2) The term “eligible veteran” means a veteran,*  
16 *as that term is defined in section 101(2) of title 38,*  
17 *United States Code, who is employed by an energy*  
18 *employer and enrolled or participating in a covered*  
19 *training, on-job training, apprenticeship, or certifi-*  
20 *cation class.*

21 *(3) The term “energy employer” means an entity*  
22 *that employs individuals in a trade or business in an*  
23 *energy industry.*

24 *(4) The term “energy industry” means any of*  
25 *the following industries:*

1           (A) *The energy-efficient building, construc-*  
2           *tion, or retrofits industry.*

3           (B) *The renewable electric power industry,*  
4           *including the wind and solar energy industries.*

5           (C) *The biofuels industry.*

6           (D) *The energy efficiency assessment indus-*  
7           *try that serves the residential, commercial, or in-*  
8           *dustrial sectors.*

9           (E) *The oil and natural gas industry.*

10          (F) *The nuclear industry.*

11          (j) *APPROPRIATIONS.—There is authorized to be ap-*  
12          *propriated to the Secretary \$1,500,000 for each of fiscal*  
13          *years 2012 through 2014, for the purpose of carrying out*  
14          *the pilot program under this section.*

15          **SEC. 107. PAT TILLMAN VETERANS' SCHOLARSHIP INITIA-**  
16                                    **TIVE.**

17          (a) *AVAILABILITY OF SCHOLARSHIP INFORMATION.—*  
18          *By not later than June 1, 2011, the Secretary of Veterans*  
19          *Affairs shall include on the Internet website of the Depart-*  
20          *ment of Veterans Affairs a list of organizations that provide*  
21          *scholarships to veterans and their survivors and, for each*  
22          *such organization, a link to the Internet website of the orga-*  
23          *nization.*

24          (b) *MAINTENANCE OF SCHOLARSHIP INFORMATION.—*  
25          *The Secretary of Veterans Affairs shall make reasonable ef-*

1 *forts to notify schools and other appropriate entities of the*  
2 *opportunity to be included on the Internet website of the*  
3 *Department of Veterans Affairs pursuant to subsection (a).*

4           **TITLE II—HOUSING AND**  
5           **HOMELESSNESS MATTERS**

6 **SEC. 201. REAUTHORIZATION OF APPROPRIATIONS FOR**  
7           **HOMELESS VETERANS REINTEGRATION PRO-**  
8           **GRAM.**

9           *Section 2021(e)(1)(F) is amended by striking “2009”*  
10 *and inserting “2011”.*

11 **SEC. 202. HOMELESS WOMEN VETERANS AND HOMELESS**  
12           **VETERANS WITH CHILDREN REINTEGRATION**  
13           **GRANT PROGRAM.**

14           *(a) GRANT PROGRAM.—Chapter 20 is amended by in-*  
15 *serting after section 2021 the following new section:*

16 **“§2021A. Homeless women veterans and homeless vet-**  
17           **erans with children reintegration grant**  
18           **program**

19           *“(a) GRANTS.—Subject to the availability of appro-*  
20 *priations provided for such purpose, the Secretary of Labor*  
21 *shall make grants to programs and facilities that the Sec-*  
22 *retary determines provide dedicated services for homeless*  
23 *women veterans and homeless veterans with children.*

24           *“(b) USE OF FUNDS.—Grants under this section shall*  
25 *be used to provide job training, counseling, placement serv-*

1 ices (including job readiness and literacy and skills train-  
2 ing) and child care services to expedite the reintegration  
3 of homeless women veterans and homeless veterans with  
4 children into the labor force.

5       “(c) *REQUIREMENT TO MONITOR EXPENDITURES OF*  
6 *FUNDS.—(1) The Secretary of Labor shall collect such in-*  
7 *formation as that Secretary considers appropriate to mon-*  
8 *itor and evaluate the distribution and expenditure of funds*  
9 *appropriated to carry out this section. The information*  
10 *shall include data with respect to the results or outcomes*  
11 *of the services provided to each homeless veteran under this*  
12 *section.*

13       “(2) *Information under paragraph (1) shall be fur-*  
14 *nished in such form and manner as the Secretary of Labor*  
15 *may specify.*

16       “(d) *ADMINISTRATION THROUGH THE ASSISTANT*  
17 *SECRETARY OF LABOR FOR VETERANS’ EMPLOYMENT AND*  
18 *TRAINING.—The Secretary of Labor shall carry out this sec-*  
19 *tion through the Assistant Secretary of Labor for Veterans’*  
20 *Employment and Training.*

21       “(e) *BIENNIAL REPORT TO CONGRESS.—The Secretary*  
22 *of Labor shall include as part of the report required under*  
23 *section 2021(d) of this title an evaluation of the grant pro-*  
24 *gram under this section, which shall include an evaluation*

1 *of services furnished to veterans under this section and an*  
 2 *analysis of the information collected under subsection (c).*

3 “(f) *AUTHORIZATION OF APPROPRIATIONS.—(1) In*  
 4 *addition to any amount authorized to be appropriated to*  
 5 *carry out section 2021 of this title, there is authorized to*  
 6 *be appropriated to carry out this section \$1,000,000 for*  
 7 *each of fiscal years 2011 through 2015.*

8 “(2) *Funds appropriated to carry out this section shall*  
 9 *remain available until expended. Funds obligated in any*  
 10 *fiscal year to carry out this section may be expended in*  
 11 *that fiscal year and the succeeding fiscal year.”.*

12 (b) *CLERICAL AMENDMENT.—The table of sections at*  
 13 *the beginning of such chapter is amended by inserting after*  
 14 *the item relating to section 2021 the following new item:*

“2021A. *Homeless women veterans and homeless veterans with children reintegra-*  
*tion grant program.”.*

15 **SEC. 203. SPECIALLY ADAPTED HOUSING ASSISTIVE TECH-**  
 16 **NOLOGY GRANT PROGRAM.**

17 (a) *IN GENERAL.—Chapter 21 is amended by adding*  
 18 *at the end the following new section:*

19 **“§2108. Specially adapted housing assistive tech-**  
 20 **nology grant program**

21 “(a) *AUTHORITY TO MAKE GRANTS.—The Secretary*  
 22 *shall make grants to encourage the development of new as-*  
 23 *sistive technologies for specially adapted housing.*



1       “(b) *APPLICATION.*—A person or entity seeking a  
2 grant under this section shall submit to the Secretary an  
3 application for the grant in such form and manner as the  
4 Secretary shall specify.

5       “(c) *GRANT FUNDS.*—(1) Each grant awarded under  
6 this section shall be in an amount of not more than  
7 \$200,000 per fiscal year.

8       “(2) For each fiscal year in which the Secretary makes  
9 a grant under this section, the Secretary shall make the  
10 grant by not later than April 1 of that year.

11       “(d) *USE OF FUNDS.*—The recipient of a grant under  
12 this section shall use the grant to develop assistive tech-  
13 nologies for use in specially adapted housing.

14       “(e) *REPORT.*—Not later than March 1 of each fiscal  
15 year following a fiscal year in which the Secretary makes  
16 a grant, the Secretary shall submit to Congress a report  
17 containing information related to each grant awarded  
18 under this section during the preceding fiscal year, includ-  
19 ing—

20               “(1) the name of the grant recipient;

21               “(2) the amount of the grant; and

22               “(3) the goal of the grant.

23       “(f) *FUNDING.*—From amounts appropriated to the  
24 Department for readjustment benefits for each fiscal year  
25 for which the Secretary is authorized to make a grant under

1 *this section, \$1,000,000 shall be available for that fiscal*  
 2 *year for the purposes of the program under this section.*

3 “(g) *DURATION.*—*The authority to make a grant*  
 4 *under this section shall begin on October 1, 2011, and shall*  
 5 *terminate on September 30, 2016.”*

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

“2108. *Specially adapted housing assistive technology grant program.”*

9 **SEC. 204. WAIVER OF HOUSING LOAN FEE FOR CERTAIN**  
 10 **VETERANS WITH SERVICE-CONNECTED DIS-**  
 11 **ABILITIES CALLED TO ACTIVE SERVICE.**

12 *Section 3729(c)(1) is amended by inserting after “re-*  
 13 *tirement pay” the following: “or active service pay”.*

14 **TITLE III—SERVICEMEMBERS**  
 15 **CIVIL RELIEF ACT MATTERS**

16 **SEC. 301. RESIDENTIAL AND MOTOR VEHICLE LEASES.**

17 *Subsection (e) of section 305 of the Servicemembers*  
 18 *Civil Relief Act (50 U.S.C. App. 535) is amended to read*  
 19 *as follows:*

20 “(e) *ARREARAGES AND OTHER OBLIGATIONS AND LI-*  
 21 *ABILITIES.*—

22 “(1) *LEASES OF PREMISES.*—*Rent amounts for a*  
 23 *lease described in subsection (b)(1) that are unpaid*  
 24 *for the period preceding the effective date of the lease*  
 25 *termination shall be paid on a prorated basis. The*

1     lessor may not impose an early termination charge,  
2     but any taxes, summonses, or other obligations and li-  
3     abilities of the lessee in accordance with the terms of  
4     the lease, including reasonable charges to the lessee for  
5     excess wear, that are due and unpaid at the time of  
6     termination of the lease shall be paid by the lessee.

7             “(2) *LEASES OF MOTOR VEHICLES.*—Lease  
8     amounts for a lease described in subsection (b)(2) that  
9     are unpaid for the period preceding the effective date  
10    of the lease termination shall be paid on a prorated  
11    basis. The lessor may not impose an early termi-  
12    nation charge, but any taxes, summonses, title and  
13    registration fees, or other obligations and liabilities of  
14    the lessee in accordance with the terms of the lease,  
15    including reasonable charges to the lessee for excess  
16    wear or use and mileage, that are due and unpaid at  
17    the time of termination of the lease shall be paid by  
18    the lessee.”.

19 **SEC. 302. TERMINATION OF TELEPHONE SERVICE CON-**  
20 **TRACTS.**

21     (a) *IN GENERAL.*—Section 305A of the  
22 *Servicemembers Civil Relief Act (50 U.S.C. App. 535a)* is  
23 *amended to read as follows:*

1 **“SEC. 305A. TERMINATION OF TELEPHONE SERVICE CON-**  
2 **TRACTS.**

3 “(a) *TERMINATION BY SERVICEMEMBER.*—

4 “(1) *TERMINATION.*—*A servicemember may ter-*  
5 *minate a contract described in subsection (b) at any*  
6 *time after the date the servicemember receives mili-*  
7 *tary orders to relocate for a period of not less than*  
8 *90 days to a location that does not support the con-*  
9 *tract.*

10 “(2) *NOTICE.*—*In the case that a servicemember*  
11 *terminates a contract as described in paragraph (1),*  
12 *the service provider under the contract shall provide*  
13 *such servicemember with written or electronic notice*  
14 *of the servicemember’s rights under such paragraph.*

15 “(3) *MANNER OF TERMINATION.*—*Termination of*  
16 *a contract under paragraph (1) shall be made by de-*  
17 *livery of a written or electronic notice of such termi-*  
18 *nation and a copy of the servicemember’s military or-*  
19 *ders to the service provider, delivered in accordance*  
20 *with industry standards for notification of termi-*  
21 *nations, together with the date on which the service*  
22 *is to be terminated.*

23 “(b) *COVERED CONTRACTS.*—*A contract described in*  
24 *this subsection is a contract for cellular telephone service*  
25 *or telephone exchange service entered into by the service-*

1 member before receiving the military orders referred to in  
2 subsection (a)(1).

3       “(c) *RETENTION OF TELEPHONE NUMBER.*—*In the*  
4 *case of a contract terminated under subsection (a) by a*  
5 *servicemember whose period of relocation is for a period of*  
6 *three years or less, the service provider under the contract*  
7 *shall, notwithstanding any other provision of law, allow the*  
8 *servicemember to keep the telephone number the servicemem-*  
9 *ber has under the contract if the servicemember re-subscribes*  
10 *to the service during the 90-day period beginning on the*  
11 *last day of such period of relocation.*

12       “(d) *FAMILY PLANS.*—*In the case of a contract for cel-*  
13 *lular telephone service entered into by any individual in*  
14 *which a servicemember is a designated beneficiary of the*  
15 *contract, the individual who entered into the contract may*  
16 *terminate the contract—*

17               “(1) *with respect to the servicemember if the*  
18 *servicemember is eligible to terminate contracts pur-*  
19 *suant to subsection (a); and*

20               “(2) *with respect to all of the designated bene-*  
21 *ficiaries of such contract if all such beneficiaries ac-*  
22 *company the servicemember during the*  
23 *servicemember’s period of relocation.*

24       “(e) *OTHER OBLIGATIONS AND LIABILITIES.*—*For any*  
25 *contract terminated under this section, the service provider*

1 *under the contract may not impose an early termination*  
2 *charge, but any tax or any other obligation or liability of*  
3 *the servicemember that, in accordance with the terms of the*  
4 *contract, is due and unpaid or unperformed at the time*  
5 *of termination of the contract shall be paid or performed*  
6 *by the servicemember. If the servicemember re-subscribes to*  
7 *the service provided under a covered contract during the*  
8 *90-day period beginning on the last day of the*  
9 *servicemember's period of relocation, the service provider*  
10 *may not impose a charge for reinstating service, other than*  
11 *the usual and customary charges for the installation or ac-*  
12 *quisition of customer equipment imposed on any other sub-*  
13 *scriber.*

14       “(f) *RETURN OF ADVANCE PAYMENTS.*—*Not later than*  
15 *60 days after the effective date of the termination of a con-*  
16 *tract under this section, the service provider under the con-*  
17 *tract shall refund to the servicemember any fee or other*  
18 *amount to the extent paid for a period extending until after*  
19 *such date, except for the remainder of the monthly or simi-*  
20 *lar billing period in which the termination occurs.*

21       “(g) *DEFINITIONS.*—*For purposes of this section:*

22               “(1) *The term ‘cellular telephone service’ means*  
23 *commercial mobile service, as that term is defined in*  
24 *section 332(d) of the Communications Act of 1934 (47*  
25 *U.S.C. 332(d)).*

1           “(2) *The term ‘telephone exchange service’ has*  
 2           *the meaning given that term under section 3 of the*  
 3           *Communications Act of 1934 (47 U.S.C. 153).”.*

4           ***(b) TECHNICAL AMENDMENT.—The heading for title***  
 5           ***III of such Act is amended by inserting “, TELEPHONE***  
 6           ***SERVICE CONTRACTS” after “LEASES”.***

7           ***(c) CLERICAL AMENDMENTS.—The table of contents in***  
 8           ***section 1(b) of such Act is amended—***

9                     ***(1) by striking the item relating to title III and***  
 10                    ***inserting the following new item:***

***“TITLE III—RENT, INSTALLMENT CONTRACTS, MORTGAGES, LIENS,***  
                   ***ASSIGNMENT, LEASES, TELEPHONE SERVICE CONTRACTS”; AND***

11                    ***(2) by striking the item relating to section 305A***  
 12                    ***and inserting the following new item:***

***“Sec. 305A. Termination of telephone service contracts.”.***

13           ***SEC. 303. ENFORCEMENT BY THE ATTORNEY GENERAL AND***  
 14                            ***BY PRIVATE RIGHT OF ACTION.***

15           ***(a) IN GENERAL.—The Servicemembers Civil Relief***  
 16           ***Act (50 U.S.C. App. 501 et seq.) is amended by adding at***  
 17           ***the end the following new title:***

18                    ***“TITLE VIII—CIVIL LIABILITY***

19                    ***“SEC. 801. ENFORCEMENT BY THE ATTORNEY GENERAL.***

20                    ***“(a) CIVIL ACTION.—The Attorney General may com-***  
 21           ***mence a civil action in any appropriate district court of***  
 22           ***the United States against any person who—***

1           “(1) engages in a pattern or practice of violating  
2       *this Act; or*

3           “(2) engages in a violation of *this Act* that raises  
4       *an issue of significant public importance.*

5       “(b) *RELIEF.*—*In a civil action commenced under sub-*  
6 *section (a), the court may—*

7           “(1) *grant any appropriate equitable or declara-*  
8 *tory relief with respect to the violation of this Act;*

9           “(2) *award all other appropriate relief, includ-*  
10 *ing monetary damages, to any person aggrieved by*  
11 *the violation; and*

12          “(3) *may, to vindicate the public interest, assess*  
13 *a civil penalty—*

14           “(A) *in an amount not exceeding \$55,000*  
15 *for a first violation; and*

16           “(B) *in an amount not exceeding \$110,000*  
17 *for any subsequent violation.*

18       “(c) *INTERVENTION.*—*Upon timely application, a per-*  
19 *son aggrieved by a violation of this Act with respect to*  
20 *which the civil action is commenced may intervene in such*  
21 *action, and may obtain such appropriate relief as the per-*  
22 *son could obtain in a civil action under section 802 with*  
23 *respect to that violation, along with costs and a reasonable*  
24 *attorney fee.*



1 **“SEC. 802. PRIVATE RIGHT OF ACTION.**

2 “(a) *IN GENERAL.*—Any person aggrieved by a viola-  
3 tion of this Act may in a civil action—

4 “(1) obtain any appropriate equitable or declar-  
5 atory relief with respect to the violation; and

6 “(2) recover all other appropriate relief, includ-  
7 ing monetary damages.

8 “(b) *COSTS AND ATTORNEY FEES.*—The court may  
9 award to a person aggrieved by a violation of this Act who  
10 prevails in an action brought under subsection (a) the costs  
11 of the action, including a reasonable attorney fee.

12 **“SEC. 803. PRESERVATION OF REMEDIES.**

13 “Nothing in section 801 or 802 shall be construed to  
14 preclude or limit any remedy otherwise available under  
15 other law, including consequential and punitive damages.”.

16 (b) *CONFORMING AMENDMENTS.*—Such Act is further  
17 amended as follows:

18 (1) Section 207 (50 U.S.C. App. 527) is amend-  
19 ed by striking subsection (f).

20 (2) Section 301(c) (50 U.S.C. App. 531(c)) is  
21 amended to read as follows:

22 “(c) *MISDEMEANOR.*—Except as provided in sub-  
23 section (a), a person who knowingly takes part in an evic-  
24 tion or distress described in subsection (a), or who know-  
25 ingly attempts to do so, shall be fined as provided in title

1 18, *United States Code*, or imprisoned for not more than  
2 one year, or both.”.

3 (3) *Section 302(b) (50 U.S.C. App. 532(b))* is  
4 amended to read as follows:

5 “(b) *MISDEMEANOR*.—A person who knowingly re-  
6 sumes possession of property in violation of subsection (a),  
7 or in violation of section 107 of this Act, or who knowingly  
8 attempts to do so, shall be fined as provided in title 18,  
9 *United States Code*, or imprisoned for not more than one  
10 year, or both.”.

11 (4) *Section 303(d) (50 U.S.C. App. 533(d))* is  
12 amended to read as follows:

13 “(d) *MISDEMEANOR*.—A person who knowingly makes  
14 or causes to be made a sale, foreclosure, or seizure of prop-  
15 erty that is prohibited by subsection (c), or who knowingly  
16 attempts to do so, shall be fined as provided in title 18,  
17 *United States Code*, or imprisoned for not more than one  
18 year, or both.”.

19 (5) *Section 305(h) (50 U.S.C. App. 535(h))* is  
20 amended to read as follows:

21 “(h) *MISDEMEANOR*.—Any person who knowingly  
22 seizes, holds, or detains the personal effects, security deposit,  
23 or other property of a servicemember or a servicemember’s  
24 dependent who lawfully terminates a lease covered by this  
25 section, or who knowingly interferes with the removal of

1 *such property from premises covered by such lease, for the*  
 2 *purpose of subjecting or attempting to subject any of such*  
 3 *property to a claim for rent accruing subsequent to the date*  
 4 *of termination of such lease, or attempts to do so, shall be*  
 5 *fin ed as provided in title 18, United States Code, or impris-*  
 6 *oned for not more than one year, or both.”.*

7           (6) *Section 306(e) (50 U.S.C. App. 536(e)) is*  
 8 *amended to read as follows:*

9           “(e) *MISDEMEANOR.—A person who knowingly takes*  
 10 *an action contrary to this section, or attempts to do so,*  
 11 *shall be fined as provided in title 18, United States Code,*  
 12 *or imprisoned for not more than one year, or both.”.*

13           (7) *Section 307(c) (50 U.S.C. App. 537(c)) is*  
 14 *amended to read as follows:*

15           “(c) *MISDEMEANOR.—A person who knowingly takes*  
 16 *an action contrary to this section, or attempts to do so,*  
 17 *shall be fined as provided in title 18, United States Code,*  
 18 *or imprisoned for not more than one year, or both.”.*

19           (c) *CLERICAL AMENDMENT.—The table of contents in*  
 20 *section 1(b) of such Act is amended by adding at the end*  
 21 *the following new items:*

“TITLE VIII—CIVIL LIABILITY

“Sec. 801. *Enforcement by the Attorney General.*

“Sec. 802. *Private right of action.*

“Sec. 803. *Preservation of remedies.”.*

1 **TITLE IV—INSURANCE MATTERS**

2 **SEC. 401. INCREASE IN AMOUNT OF SUPPLEMENTAL INSUR-**  
 3 **ANCE FOR TOTALLY DISABLED VETERANS.**

4 (a) *IN GENERAL.*—Section 1922A(a) is amended by  
 5 striking “\$20,000” and inserting “\$30,000”.

6 (b) *EFFECTIVE DATE.*—The amendment made by sub-  
 7 section (a) shall take effect on October 1, 2011.

8 **SEC. 402. PERMANENT EXTENSION OF DURATION OF**  
 9 **SERVICEMEMBERS’ GROUP LIFE INSURANCE**  
 10 **COVERAGE FOR TOTALLY DISABLED VET-**  
 11 **ERANS.**

12 (a) *EXTENSION.*—Section 1968(a) is amended—

13 (1) in paragraph (1)(A), by striking clause (ii)  
 14 and inserting the following new clause (ii):

15 “(ii) The date that is two years after  
 16 the date of separation or release from such  
 17 active duty or active duty for training.”;  
 18 and

19 (2) in paragraph (4), by striking subparagraph  
 20 (B) and inserting the following new subparagraph  
 21 (B):

22 “(B) The date that is two years after the  
 23 date of separation or release from such assign-  
 24 ment.”.

1       (b) *EFFECTIVE DATE.*—*The amendments made by sub-*  
 2 *section (a) shall apply with respect to a person who is sepa-*  
 3 *rated or released on or after June 15, 2005.*

4 **SEC. 403. ADJUSTMENT OF COVERAGE OF DEPENDENTS**  
 5 **UNDER SERVICEMEMBERS' GROUP LIFE IN-**  
 6 **SURANCE.**

7       *Clause (ii) of section 1968(a)(5)(B) is amended to read*  
 8 *as follows:*

9                   “(i)(I) *in the case of a member of the*  
 10 *Ready Reserve of a uniformed service who*  
 11 *meets the qualifications set forth in sub-*  
 12 *paragraph (B) or (C) of section 1965(5) of*  
 13 *this title, 120 days after separation or re-*  
 14 *lease from such assignment; or*

15                   “(II) *in the case of any other member*  
 16 *of the uniformed services, 120 days after the*  
 17 *date of the member's separation or release*  
 18 *from the uniformed services; or”.*

19 **SEC. 404. OPPORTUNITY TO INCREASE AMOUNT OF VET-**  
 20 **ERANS' GROUP LIFE INSURANCE.**

21       (a) *OPPORTUNITY TO INCREASE AMOUNT.*—*Section*  
 22 *1977(a) is amended—*

23               (1) *in paragraph (1), by inserting “Except as*  
 24 *provided in paragraph (3),” before “Veterans' Group*  
 25 *Life Insurance shall be”; and*

1           (2) *by adding after paragraph (2) the following*  
 2           *new paragraph:*

3           “(3) *Not more than once in each five-year period be-*  
 4           *ginning on the one-year anniversary of the date a person*  
 5           *becomes insured under Veterans’ Group Life Insurance,*  
 6           *such person may elect in writing to increase by \$25,000*  
 7           *the amount for which the person is insured if—*

8                   “(A) *the person is under the age of 60; and*

9                   “(B) *the total amount for which the person is in-*  
 10           *sured does not exceed the amount provided for under*  
 11           *section 1967(a)(3)(A)(i) of this title.”.*

12           (b) *EFFECTIVE DATE.—Paragraph (3) of section*  
 13           *1977(a) of title 38, United States Code, as added by sub-*  
 14           *section (a), shall take effect on the date that is 180 days*  
 15           *after the date of the enactment of this Act.*

16   **SEC. 405. ELIMINATION OF REDUCTION IN AMOUNT OF AC-**  
 17                   **CCELERATED DEATH BENEFIT FOR TERMI-**  
 18                   **NALLY-ILL PERSONS INSURED UNDER**  
 19                   **SERVICEMEMBERS’ GROUP LIFE INSURANCE**  
 20                   **AND VETERANS’ GROUP LIFE INSURANCE.**

21           (a) *ELIMINATION OF REDUCTION.—Section 1980(b)(1)*  
 22           *is amended by striking “reduced by” and all that follows*  
 23           *through “the Secretary”.*

24           (b) *EFFECTIVE DATE.—The amendment made by sub-*  
 25           *section (a) shall apply with respect to a payment of an ac-*

1 *celerated death benefit under section 1980 of title 38, United*  
 2 *States Code, made on or after the date of the enactment*  
 3 *of this Act.*

4 **SEC. 406. CONSIDERATION OF LOSS OF DOMINANT HAND IN**  
 5 **PRESCRIPTION OF SCHEDULE OF SEVERITY**  
 6 **OF TRAUMATIC INJURY UNDER**  
 7 **SERVICEMEMBERS' GROUP LIFE INSURANCE.**

8 (a) *SCHEDULE.—*

9 (1) *IN GENERAL.—Section 1980A(d) is amend-*  
 10 *ed—*

11 (A) *by striking “Payments under” and in-*  
 12 *serting “(1) Payments under”; and*

13 (B) *by adding at the end the following new*  
 14 *paragraph:*

15 “(2) *As the Secretary considers appropriate, the sched-*  
 16 *ule required by paragraph (1) may distinguish in speci-*  
 17 *fying payments for qualifying losses between the severity*  
 18 *of a qualifying loss of a dominant hand and of a qualifying*  
 19 *loss of a nondominant hand.”.*

20 (2) *EFFECTIVE DATE.—The amendments made*  
 21 *by paragraph (1) shall take effect on October 1, 2011.*

22 (b) **PAYMENTS FOR QUALIFYING LOSSES INCURRED**  
 23 **BEFORE DATE OF ENACTMENT.—**

24 (1) *IN GENERAL.—To the extent necessary, the*  
 25 *Secretary of Veterans Affairs shall prescribe in regu-*

1        *lations mechanisms for payments under section*  
2        *1980A of title 38, United States Code, for qualifying*  
3        *losses incurred before the date of the enactment of this*  
4        *Act, by reason of paragraph (2) of subsection (d) of*  
5        *such section (as added by subsection (a)(1) of this sec-*  
6        *tion).*

7            (2) *QUALIFYING LOSS DEFINED.—In this sub-*  
8        *section, the term “qualifying loss” means—*

9            (A) *a loss specified in the second sentence of*  
10        *subsection (b)(1) of section 1980A of title 38,*  
11        *United States Code; and*

12            (B) *any other loss specified by the Secretary*  
13        *of Veterans Affairs pursuant to the first sentence*  
14        *of that subsection.*

15        **SEC. 407. ENHANCEMENT OF VETERANS’ MORTGAGE LIFE**  
16            **INSURANCE.**

17            (a) *IN GENERAL.—Section 2106(b) is amended by*  
18        *striking “\$90,000” and inserting “\$150,000, or after Janu-*  
19        *ary 1, 2012, \$200,000.”.*

20            (b) *EFFECTIVE DATE.—The amendment made by sub-*  
21        *section (a) shall take effect on October 1, 2011.*



1 **SEC. 408. EXPANSION OF INDIVIDUALS QUALIFYING FOR**  
 2 **RETROACTIVE BENEFITS FROM TRAUMATIC**  
 3 **INJURY PROTECTION COVERAGE UNDER**  
 4 **SERVICEMEMBERS' GROUP LIFE INSURANCE.**

5 (a) *IN GENERAL.*—Paragraph (1) of section 501(b) of  
 6 the Veterans' Housing Opportunity and Benefits Improve-  
 7 ment Act of 2006 (Public Law 109–233; 120 Stat. 414; 38  
 8 U.S.C. 1980A note) is amended by striking “, if, as deter-  
 9 mined by the Secretary concerned, that loss was a direct  
 10 result of a traumatic injury incurred in the theater of oper-  
 11 ations for Operation Enduring Freedom or Operation Iraqi  
 12 Freedom”.

13 (b) *CONFORMING AMENDMENT.*—The heading of such  
 14 section is amended by striking “IN OPERATION ENDURING  
 15 FREEDOM AND OPERATION IRAQI FREEDOM”.

16 (c) *EFFECTIVE DATE.*—The amendments made by this  
 17 section shall take effect on October 1, 2011.

18 **TITLE V—BURIAL AND**  
 19 **CEMETERY MATTERS**

20 **SEC. 501. INCREASE IN CERTAIN BURIAL AND FUNERAL**  
 21 **BENEFITS AND PLOT ALLOWANCES FOR VET-**  
 22 **ERANS.**

23 (a) *INCREASE IN BURIAL AND FUNERAL EXPENSES*  
 24 *FOR DEATHS IN DEPARTMENT FACILITIES.*—Paragraph  
 25 (1)(A) of subsection (a) of section 2303 is amended by strik-

1 ing “\$300” and inserting “\$700 (as increased from time  
2 to time under subsection (c))”.

3 (b) *INCREASE IN AMOUNT OF PLOT ALLOWANCES.*—  
4 Subsection (b) of such section is amended by striking  
5 “\$300” both places it appears and inserting “\$700 (as in-  
6 creased from time to time under subsection (c))”.

7 (c) *ANNUAL ADJUSTMENT.*—Such section is further  
8 amended by adding at the end the following new subsection:

9 “(c) With respect to any fiscal year, the Secretary shall  
10 provide a percentage increase (rounded to the nearest dol-  
11 lar) in the maximum amount of burial and funeral ex-  
12 penses payable under subsection (a) and in the maximum  
13 amount of the plot or internment allowance payable under  
14 subsection (b), equal to the percentage by which—

15 “(1) the Consumer Price Index (all items, United  
16 States city average) for the 12-month period ending  
17 on the June 30 preceding the beginning of the fiscal  
18 year for which the increase is made, exceeds

19 “(2) the Consumer Price Index for the 12-month  
20 period preceding the 12-month period described in  
21 paragraph (1).”.

22 (d) *EFFECTIVE DATE.*—

23 (1) *IN GENERAL.*—Except as provided in para-  
24 graph (2), the amendments made by this section shall

1     *apply with respect to deaths occurring on or after Oc-*  
2     *tober 1, 2011.*

3             (2) *PROHIBITION ON COST-OF-LIVING ADJUST-*  
4     *MENT FOR FISCAL YEAR 2012.—No adjustments shall*  
5     *be made under section 2303(c) of title 38, United*  
6     *States Code, as added by subsection (c), for fiscal year*  
7     *2012.*

8     **SEC. 502. INTERMENT IN NATIONAL CEMETERIES OF PAR-**  
9             **ENTS OF CERTAIN DECEASED VETERANS.**

10            (a) *SHORT TITLE.—This section may be cited as the*  
11     *“Corey Shea Act”.*

12            (b) *INTERMENT OF PARENTS OF CERTAIN DECEASED*  
13     *VETERANS.—Section 2402 is amended—*

14                (1) *in the matter preceding paragraph (1), by*  
15     *striking “Under such regulations” and inserting “(a)*  
16     *Under such regulations”;*

17                (2) *by moving the margins of paragraphs (1)*  
18     *through (8) two ems to the right;*

19                (3) *by inserting after paragraph (8) the fol-*  
20     *lowing new paragraph:*

21                    “(9)(A) *The parent of a person described in sub-*  
22     *paragraph (B), if the Secretary determines that there*  
23     *is available space at the gravesite where the person*  
24     *described in subparagraph (B) is interred.*

1           “(B) A person described in this subparagraph is  
2 a person described in paragraph (1) who—

3           “(i) is a hostile casualty or died from a  
4 training-related injury;

5           “(ii) is interred in a national cemetery;  
6 and

7           “(iii) at the time of the person’s parent’s  
8 death, did not have a spouse, surviving spouse,  
9 or child who is buried or who, upon death, may  
10 be eligible for burial in a national cemetery pur-  
11 suant to paragraph (5).”; and

12           (4) by adding at the end the following new sub-  
13 section:

14           “(b) For purposes of subsection (a)(9) of this section:

15           “(1) The term ‘parent’ means a biological father  
16 or a biological mother or, in the case of adoption, a  
17 father through adoption or a mother through adop-  
18 tion.

19           “(2) The term ‘hostile casualty’ means a person  
20 who, as a member of the Armed Forces, dies as the  
21 direct result of hostile action with the enemy, while  
22 in combat, while going to or returning from a combat  
23 mission if the cause of death was directly related to  
24 hostile action, or while hospitalized or undergoing  
25 treatment at the expense of the United States for in-

1 *jury incurred during combat, and includes a person*  
2 *killed mistakenly or accidentally by friendly fire di-*  
3 *rected at a hostile force or what is thought to be a*  
4 *hostile force, but does not include a person who dies*  
5 *due to the elements, a self-inflicted wound, combat fa-*  
6 *tigue, or a friendly force while the person was in an*  
7 *absent-without-leave, deserter, or dropped-from-rolls*  
8 *status or was voluntarily absent from a place of duty.*

9       “(3) *The term ‘training-related injury’ means an*  
10 *injury incurred by a member of the Armed Forces*  
11 *while performing authorized training activities in*  
12 *preparation for a combat mission.’”.*

13       *(c) GUIDANCE REQUIRED.—The Secretary of Veterans*  
14 *Affairs, in consultation with the Secretary of Defense, shall*  
15 *develop guidance under which the parent of a person de-*  
16 *scribed in paragraph (9)(B) of subsection (a) of section*  
17 *2402 of title 38, United States Code, as added by subsection*  
18 *(b), may be designated for interment in a national cemetery*  
19 *under that section.*

20       *(d) CONFORMING AMENDMENTS.—*

21               *(1) CROSS-REFERENCE CORRECTION.—Section*  
22 *107 is amended by striking “section 2402(8)” both*  
23 *places it appears and inserting “section 2402(a)(8)”.*

1           (2) *CROSS-REFERENCE CORRECTION.*—Section  
2   2301(e) is amended by striking “section 2402(6)” and  
3   inserting “section 2402(a)(6)”.

4           (3) *CROSS-REFERENCE CORRECTION.*—Section  
5   2306(a) is amended—

6           (A) in paragraph (2), by striking “section  
7   2402(4)” and inserting “section 2402(a)(4)”;  
8   and

9           (B) in paragraph (4), by striking “section  
10  2402(5)” and inserting “section 2402(a)(5)”.

11       (e) *EFFECTIVE DATE.*—The amendments made by this  
12 section shall apply with respect to the death, on or after  
13 the date of the enactment of this Act, of the parent of a  
14 person described in paragraph (9)(B) of subsection (a) of  
15 section 2402 of title 38, United States Code, as added by  
16 subsection (b), who dies on or after October 7, 2001.

17 **SEC. 503. REPORTS ON SELECTION OF NEW NATIONAL**  
18 **CEMETERIES.**

19       (a) *INITIAL REPORT.*—

20           (1) *REPORT REQUIRED.*—Not later than one  
21 year after the date of the enactment of this Act, the  
22 Secretary of Veterans Affairs shall submit to Congress  
23 a report on the selection of the sites described in para-  
24 graph (2) for the purpose of establishing new national  
25 cemeteries.

1           (2) *SITES.*—*The sites described in this para-*  
2 *graph are the following:*

3                   (A) *An area in southern Colorado.*

4                   (B) *An area near Melbourne, Florida, and*  
5 *Daytona, Florida.*

6                   (C) *An area near Omaha, Nebraska.*

7                   (D) *An area near Buffalo, New York, and*  
8 *Rochester, New York.*

9                   (E) *An area near Tallahassee, Florida.*

10           (3) *SITE SELECTION.*—*In carrying out this sec-*  
11 *tion, the Secretary shall solicit advice and views of*  
12 *representatives of State and local veterans organiza-*  
13 *tions and other individuals as the Secretary considers*  
14 *appropriate.*

15           (4) *MATTERS INCLUDED.*—*The report under*  
16 *paragraph (1) shall include the following:*

17                   (A) *A schedule for the establishment of each*  
18 *cemetery at each site described in paragraph (2)*  
19 *and an estimate of the costs associated with the*  
20 *establishment of each such cemetery.*

21                   (B) *As of the date of the submittal of the re-*  
22 *port, the amount of funds that are available to*  
23 *establish each cemetery at each site described in*  
24 *paragraph (2) from amounts appropriated to the*

1           *Department of Veterans Affairs for Advance*  
 2           *Planning.*

3           **(b) ANNUAL REPORTS.**—*Not later than two years after*  
 4 *the date of the enactment of this Act, and each year there-*  
 5 *after until the date on which each cemetery at each site*  
 6 *described in subsection (a)(2) is established, the Secretary*  
 7 *shall submit to Congress an annual report that includes up-*  
 8 *dates to the information provided in the report under sub-*  
 9 *section (a).*

10       **TITLE VI—COMPENSATION AND**  
 11                                   **PENSION**

12       **SEC. 601. ENHANCEMENT OF DISABILITY COMPENSATION**  
 13                                   **FOR CERTAIN DISABLED VETERANS WITH**  
 14                                   **DIFFICULTIES USING PROSTHESES AND DIS-**  
 15                                   **ABLED VETERANS IN NEED OF REGULAR AID**  
 16                                   **AND ATTENDANCE FOR RESIDUALS OF TRAU-**  
 17                                   **MATIC BRAIN INJURY.**

18       **(a) VETERANS SUFFERING ANATOMICAL LOSS OF**  
 19 **HANDS, ARMS, OR LEGS.**—*Section 1114 is amended—*

20                   **(1) in subsection (m)—**

21                                   **(A) by striking “at a level, or with com-**  
 22                                   **plications,” and inserting “with factors”; and**

23                                   **(B) by striking “at levels, or with complica-**  
 24                                   **tions,” and inserting “with factors”;**

25                   **(2) in subsection (n)—**



1           (A) by striking “at levels, or with complica-  
2           tions,” and inserting “with factors”;

3           (B) by striking “so near the hip as to” and  
4           inserting “with factors that”; and

5           (C) by striking “so near the shoulder and  
6           hip as to” and inserting “with factors that”; and

7           (3) in subsection (o), by striking “so near the  
8           shoulder as to” and inserting “with factors that”.

9           (b) *VETERANS WITH SERVICE-CONNECTED DISABIL-*  
10 *ITIES IN NEED OF REGULAR AID AND ATTENDANCE FOR*  
11 *RESIDUALS OF TRAUMATIC BRAIN INJURY.—*

12           (1) *IN GENERAL.—Such section is further*  
13 *amended—*

14           (A) in subsection (p), by striking the semi-  
15           colon at the end and inserting a period; and

16           (B) by adding at the end the following new  
17           subsection:

18           “(t) Subject to section 5503(c) of this title, if any vet-  
19           eran, as the result of service-connected disability, is in need  
20           of regular aid and attendance for the residuals of traumatic  
21           brain injury, is not eligible for compensation under sub-  
22           section (r)(2), and in the absence of such regular aid and  
23           attendance would require hospitalization, nursing home  
24           care, or other residential institutional care, the veteran  
25           shall be paid, in addition to any other compensation under

1 *this section, a monthly aid and attendance allowance equal*  
 2 *to the rate described in subsection (r)(2), which for purposes*  
 3 *of section 1134 of this title shall be considered as additional*  
 4 *compensation payable for disability. An allowance author-*  
 5 *ized under this subsection shall be paid in lieu of any allow-*  
 6 *ance authorized by subsection (r)(1).”.*

7 (2) *CONFORMING AMENDMENT.—Section 5503(c)*  
 8 *is amended by striking “in section 1114(r)” and in-*  
 9 *serting “in subsection (r) or (t) of section 1114”.*

10 (c) *EFFECTIVE DATE.—The amendments made by this*  
 11 *section shall take effect on October 1, 2011.*

12 **SEC. 602. COST-OF-LIVING INCREASE FOR TEMPORARY DE-**  
 13 **PENDENCY AND INDEMNITY COMPENSATION**  
 14 **PAYABLE FOR SURVIVING SPOUSES WITH DE-**  
 15 **PENDENT CHILDREN UNDER THE AGE OF 18.**

16 *Section 1311(f) is amended—*

17 (1) *in paragraph (1), by inserting “(as increased*  
 18 *from time to time under paragraph (4))” after*  
 19 *“\$250”;*

20 (2) *by redesignating paragraph (4) as para-*  
 21 *graph (5); and*

22 (3) *by inserting after paragraph (3) the fol-*  
 23 *lowing new paragraph (4):*

24 “(4) *Whenever there is an increase in benefit amounts*  
 25 *payable under title II of the Social Security Act (42 U.S.C.*

1 401 et seq.) as a result of a determination made under sec-  
2 tion 215(i) of such Act (42 U.S.C. 415(i)), the Secretary  
3 shall, effective on the date of such increase in benefit  
4 amounts, increase the amount payable under paragraph  
5 (1), as such amount was in effect immediately prior to the  
6 date of such increase in benefit amounts, by the same per-  
7 centage as the percentage by which such benefit amounts  
8 are increased. Any increase in a dollar amount under this  
9 paragraph shall be rounded down to the next lower whole  
10 dollar amount.”.

11 **SEC. 603. PAYMENT OF DEPENDENCY AND INDEMNITY COM-**  
12 **PENSATION TO SURVIVORS OF FORMER PRIS-**  
13 **ONERS OF WAR WHO DIED ON OR BEFORE**  
14 **SEPTEMBER 30, 1999.**

15 (a) *IN GENERAL.*—Section 1318(b)(3) is amended by  
16 striking “who died after September 30, 1999,”.

17 (b) *EFFECTIVE DATE.*—The amendment made by sub-  
18 section (a) shall take effect on October 1, 2011.

19 **SEC. 604. EXCLUSION OF CERTAIN AMOUNTS FROM CONSID-**  
20 **ERATION AS INCOME FOR PURPOSES OF VET-**  
21 **ERANS PENSION BENEFITS.**

22 (a) *EXCLUSION.*—Section 1503(a) is amended—

23 (1) by striking “and” at the end of paragraph  
24 (10);

1           (2) by redesignating paragraph (11) as para-  
2           graph (12); and

3           (3) by inserting after paragraph (10) the fol-  
4           lowing new paragraph (11):

5           “(11) payment of a monetary amount of up to  
6           \$5,000 to a veteran from a State or municipality that  
7           is paid as a veterans’ benefit due to injury or disease;  
8           and”.

9           (b) *EFFECTIVE DATE.*—The amendments made by sub-  
10          section (a) shall apply with respect to determinations of in-  
11          come for calendar years beginning after October 1, 2011.

12       **SEC. 605. COMMENCEMENT OF PERIOD OF PAYMENT OF**  
13                               **ORIGINAL AWARDS OF COMPENSATION FOR**  
14                               **VETERANS RETIRED OR SEPARATED FROM**  
15                               **THE UNIFORMED SERVICES FOR CATA-**  
16                               **STROPHIC DISABILITY.**

17          (a) *COMMENCEMENT OF PERIOD OF PAYMENT.*—Sub-  
18          section (a) of section 5111 is amended—

19               (1) by inserting “(1)” after “(a)”;

20               (2) in paragraph (1), as so designated by para-  
21               graph (1) of this subsection, by striking “in sub-  
22               section (c) of this section” and inserting “in para-  
23               graph (2) and subsection (c)”;

24               (3) by adding at the end the following new para-  
25               graph:

1       “(2)(A) *In the case of a veteran who is retired or sepa-*  
2 *rated from the active military, naval, or air service for a*  
3 *catastrophic disability or disabilities, payment of monetary*  
4 *benefits based on an award of compensation based on an*  
5 *original claim shall be made as of the date on which such*  
6 *award becomes effective as provided under section 5110 of*  
7 *this title or another applicable provision of law.*

8       “(B) *For the purposes of this paragraph, the term ‘cat-*  
9 *astrophic disability’, with respect to a veteran, means a*  
10 *permanent, severely disabling injury, disorder, or disease*  
11 *that compromises the ability of the veteran to carry out the*  
12 *activities of daily living to such a degree that the veteran*  
13 *requires personal or mechanical assistance to leave home*  
14 *or bed, or requires constant supervision to avoid physical*  
15 *harm to self or others.’”.*

16       **(b) EFFECTIVE DATE.**—*The amendments made by sub-*  
17 *section (a) shall take effect on October 1, 2011, and shall*  
18 *apply with respect to awards of compensation based on*  
19 *original claims that become effective on or after that date.*

20       **SEC. 606. APPLICABILITY OF LIMITATION TO PENSION PAY-**  
21                               **ABLE TO CERTAIN CHILDREN OF VETERANS**  
22                               **OF A PERIOD OF WAR.**

23       *Section 5503(d)(5) is amended—*

24                               (1) *by inserting “(A)” after “(5)”;* and

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

3           “(B) The provisions of this subsection shall apply with  
4       respect to a child entitled to pension under section 1542  
5       of this title in the same manner as they apply to a veteran  
6       having neither spouse nor child.”.

7       **SEC. 607. EXTENSION OF REDUCED PENSION FOR CERTAIN**  
8                               **VETERANS COVERED BY MEDICAID PLANS**  
9                               **FOR SERVICES FURNISHED BY NURSING FA-**  
10                              **CILITIES.**

11       Section 5503(d)(7) is amended by striking “September  
12       30, 2011” and inserting “May 31, 2015”.

13       **SEC. 608. CODIFICATION OF 2009 COST-OF-LIVING ADJUST-**  
14                              **MENT IN RATES OF PENSION FOR DISABLED**  
15                              **VETERANS AND SURVIVING SPOUSES AND**  
16                              **CHILDREN.**

17       (a) *DISABLED VETERANS.*—Section 1521 of title 38,  
18       United States Code, is amended—

19           (1) in subsection (b), by striking “\$3,550” and  
20       inserting “\$11,830”;

21           (2) in subsection (c)—

22                   (A) by striking “\$4,651” and inserting  
23                   “\$15,493”; and

24                   (B) by striking “\$600” and inserting  
25                   “\$2,020”;

1           (3) *in subsection (d)—*

2                 (A) *in paragraph (1), by striking “\$5,680”*  
3 *and inserting “\$19,736”; and*

4                 (B) *in paragraph (2)—*

5                     (i) *by striking “\$6,781” and inserting*  
6 *“\$23,396”; and*

7                     (ii) *by striking “\$600” and inserting*  
8 *“\$2,020”;*

9           (4) *in subsection (e)—*

10                 (A) *by striking “\$4,340” and inserting*  
11 *“\$14,457”;*

12                 (B) *by striking “\$5,441” and inserting*  
13 *“\$18,120”; and*

14                 (C) *by striking “\$600” and inserting*  
15 *“\$2,020”;*

16           (5) *in subsection (f)—*

17                 (A) *in paragraph (1), by striking “\$4,651”*  
18 *and inserting “\$15,493”;*

19                 (B) *in paragraph (2)—*

20                     (i) *by striking “\$6,781” and inserting*  
21 *“\$23,396”; and*

22                     (ii) *by striking “\$8,911” and inserting*  
23 *“\$30,480”;*

24                 (C) *in paragraph (3)—*

1                   (i) by striking “\$5,441” and inserting  
2                   “\$18,120”; and

3                   (ii) by striking “\$6,231” and inserting  
4                   “\$20,747”;

5                   (D) in paragraph (4), by striking “\$7,571”  
6                   and inserting “\$26,018”; and

7                   (E) in paragraph (5), by striking “\$600”  
8                   and inserting “\$2,020”; and

9                   (6) in subsection (g), by striking “\$800” and in-  
10                  serting “\$2,686”.

11                  (b) *SURVIVING SPOUSES*.—Section 1541 of such title  
12                  is amended—

13                   (1) in subsection (b), by striking “\$2,379” and  
14                   inserting “\$7,933”;

15                   (2) in subsection (c)—

16                   (A) by striking “\$3,116” and inserting  
17                   “\$10,385”; and

18                   (B) by striking “\$600” and inserting  
19                   “\$2,020”;

20                   (3) in subsection (d)—

21                   (A) in paragraph (1), by striking “\$3,806”  
22                   and inserting “\$12,681”; and

23                   (B) in paragraph (2)—

24                   (i) by striking “\$4,543” and inserting  
25                   “\$15,128”; and



1                   (ii) by striking “\$600” and inserting  
2                   “\$2,020”; and

3                   (4) in subsection (e)(1)—

4                   (A) by striking “\$2,908” and inserting  
5                   “\$9,696”;

6                   (B) by striking “\$3,645” and inserting  
7                   “\$12,144”; and

8                   (C) by striking “\$600” and inserting  
9                   “\$2,020”.

10           (c) *SURVIVING CHILDREN.*—Section 1542 of such title  
11 is amended by striking “\$600” and inserting “\$2,020” both  
12 places it appears.

13           (d) *EFFECTIVE DATE.*—The amendments made by  
14 subsections (a), (b), and (c) shall apply with respect to pen-  
15 sions paid on or after December 1, 2009.

16 **TITLE VII—EMPLOYMENT AND**  
17 **REEMPLOYMENT RIGHTS OF**  
18 **MEMBERS OF THE UNI-**  
19 **FORMED SERVICES**

20 **SEC. 701. CLARIFICATION THAT USERRA PROHIBITS WAGE**  
21 **DISCRIMINATION AGAINST MEMBERS OF THE**  
22 **ARMED FORCES.**

23           (a) *IN GENERAL.*—Section 4303(2) is amended by  
24 striking “other than” and inserting “including”.

1       (b) *APPLICATION.*—*The amendment made by sub-*  
2 *section (a) shall apply to—*

3           (1) *any failure to comply with a provision of or*  
4 *any violation of chapter 43 of title 38, United States*  
5 *Code, that occurs before, on, or after the date of the*  
6 *enactment of this Act; and*

7           (2) *all actions or complaints filed under such*  
8 *chapter 43 that are pending on or after the date of*  
9 *the enactment of this Act.*

10 **SEC. 702. CLARIFICATION OF THE DEFINITION OF “SUC-**  
11 **CESSOR IN INTEREST”.**

12       (a) *IN GENERAL.*—*Section 4303(4) is amended by*  
13 *adding at the end the following new subparagraph:*

14           “(D)(i) *Whether the term ‘successor in interest’*  
15 *applies with respect to an entity described in sub-*  
16 *paragraph (A) for purposes of clause (iv) of such sub-*  
17 *paragraph shall be determined on a case-by-case basis*  
18 *using a multi-factor test that considers the following*  
19 *factors:*

20           “(I) *Substantial continuity of business op-*  
21 *erations.*

22           “(II) *Use of the same or similar facilities.*

23           “(III) *Continuity of work force.*

24           “(IV) *Similarity of jobs and working condi-*  
25 *tions.*

1                   “(V) *Similarity of supervisory personnel.*

2                   “(VI) *Similarity of machinery, equipment,*  
3                   *and production methods.*

4                   “(VII) *Similarity of products or services.*

5                   “(ii) *The entity’s lack of notice or awareness of*  
6                   *a potential or pending claim under this chapter at*  
7                   *the time of a merger, acquisition, or other form of*  
8                   *succession shall not be considered when applying the*  
9                   *multi-factor test under clause (i).”.*

10                  (b) *APPLICATION.—The amendment made by sub-*  
11                  *section (a) shall apply to—*

12                   (1) *any failure to comply with a provision of or*  
13                   *any violation of chapter 43 of title 38, United States*  
14                   *Code, that occurs before, on, or after the date of the*  
15                   *enactment of this Act; and*

16                   (2) *all actions or complaints filed under such*  
17                   *chapter 43 that are pending on or after the date of*  
18                   *the enactment of this Act.*

19   **SEC. 703. TECHNICAL AMENDMENTS.**

20                  (a) *AMENDMENT TO SECTION 4324 OF TITLE 38,*  
21                  *UNITED STATES CODE.—Section 4324(b)(4) is amended by*  
22                  *inserting before the period the following: “declining to ini-*  
23                  *tiate an action and represent the person before the Merit*  
24                  *Systems Protection Board”.*

1       (b) *AMENDMENT TO CONGRESSIONAL ACCOUNTABILITY*  
2 *ACT OF 1995.*—Section 206(b) of the Congressional Ac-  
3 countability Act of 1995 (2 U.S.C. 1316(b)) is amended by  
4 striking “under paragraphs (1), (2)(A), and (3) of section  
5 4323(c) of title 38, United States Code” and inserting  
6 “under section 4323(d) of title 38, United States Code”.

7       (c) *AMENDMENT TO SECTION 416 OF TITLE 3, UNITED*  
8 *STATES CODE.*—Section 416(b) of title 3, United States  
9 Code, is amended by striking “under paragraphs (1) and  
10 (2)(A) of section 4323(c) of title 38” and inserting “under  
11 section 4323(d) of title 38”.

## 12 **TITLE VIII—BENEFITS MATTERS**

### 13 **SEC. 801. INCREASE IN NUMBER OF VETERANS FOR WHICH** 14 **PROGRAMS OF INDEPENDENT LIVING SERV-** 15 **ICES AND ASSISTANCE MAY BE INITIATED.**

16       (a) *INCREASE.*—Section 3120(e) is amended by strik-  
17 ing “2600” and inserting “2,700”.

18       (b) *EFFECTIVE DATE.*—The amendment made by sub-  
19 section (a) shall apply with respect to fiscal years beginning  
20 after the date of the enactment of this Act.

### 21 **SEC. 802. PAYMENT OF UNPAID BALANCES OF DEPARTMENT** 22 **OF VETERANS AFFAIRS GUARANTEED LOANS.**

23       (a) *IN GENERAL.*—Section 3732(a)(2) is amended—  
24               (1) by striking “Before suit” and inserting “(A)  
25       Before suit”; and

1           (2) *by adding at the end the following new sub-*  
2           *paragraph:*

3           “(B) *In the event that a housing loan guaranteed*  
4           *under this chapter is modified under the authority provided*  
5           *under section 1322(b) of title 11, the Secretary may pay*  
6           *the holder of the obligation the unpaid principal balance*  
7           *of the obligation due, plus accrued interest, as of the date*  
8           *of the filing of the petition under title 11, but only upon*  
9           *the assignment, transfer, and delivery to the Secretary (in*  
10           *a form and manner satisfactory to the Secretary) of all*  
11           *rights, interest, claims, evidence, and records with respect*  
12           *to the housing loan.”.*

13           (b) *EFFECTIVE DATE.*—*The amendments made by sub-*  
14           *section (a) shall apply with respect to a housing loan guar-*  
15           *anteed after the date of the enactment of this Act.*

16           **SEC. 803. ELIGIBILITY OF DISABLED VETERANS AND MEM-**  
17                                    **BERS OF THE ARMED FORCES WITH SEVERE**  
18                                    **BURN INJURIES FOR AUTOMOBILES AND**  
19                                    **ADAPTIVE EQUIPMENT.**

20           (a) *ELIGIBILITY.*—*Paragraph (1) of section 3901 is*  
21           *amended—*

22                           (1) *in subparagraph (A)—*

23                                    (A) *in the matter preceding clause (i), by*  
24                            *striking “the disabilities described in subclause*

1           *(i), (ii), or (iii) below” and inserting “the fol-*  
2           *lowing disabilities”;* and

3                   *(B) by adding at the end the following new*  
4           *clause:*

5                   *“(iv) A severe burn injury (as determined*  
6           *pursuant to regulations prescribed by the Sec-*  
7           *retary).”;* and

8           *(2) in subparagraph (B), by striking “subclause*  
9           *(i), (ii), or (iii) of clause (A) of this paragraph” and*  
10          *inserting “clause (i), (ii), (iii), or (iv) of subpara-*  
11          *graph (A)”.*

12          *(b) STYLISTIC AMENDMENTS.—Such section is further*  
13          *amended—*

14                   *(1) in the matter preceding paragraph (1), by*  
15          *striking “chapter—” and inserting “chapter:”;*

16                   *(2) in paragraph (1)—*

17                           *(A) in the matter preceding subparagraph*  
18                   *(A), by striking “means—” and inserting*  
19                   *“means the following:”;*

20                           *(B) in subparagraph (A)—*

21                                   *(i) in the matter preceding clause (i),*  
22                   *by striking “any veteran” and inserting*  
23                   *“Any veteran”;*

1                   (ii) in each of clauses (i) and (ii), by  
2                   striking the semicolon at the end and insert-  
3                   ing a period; and

4                   (iii) in clause (iii), by striking “; or”  
5                   and inserting a period; and

6                   (C) in subparagraph (B), by striking “any  
7                   member” and inserting “Any member”.

8                   (c) *EFFECTIVE DATE.*—The amendments made by this  
9                   section shall take effect on October 1, 2011.

10 **SEC. 804. ENHANCEMENT OF AUTOMOBILE ASSISTANCE AL-**  
11 **LOWANCE FOR VETERANS.**

12                   (a) *INCREASE IN AMOUNT OF ALLOWANCE.*—Sub-  
13                   section (a) of section 3902 is amended by striking  
14                   “\$11,000” and inserting “\$18,900 (as adjusted from time  
15                   to time under subsection (e))”.

16                   (b) *ANNUAL ADJUSTMENT.*—Such section is further  
17                   amended by adding at the end the following new subsection:

18                   “(e) *Effective on October 1 of each year (beginning in*  
19                   *2011), the Secretary shall increase the dollar amount in ef-*  
20                   *fect under subsection (a) by a percentage equal to the per-*  
21                   *centage by which the Consumer Price Index for all urban*  
22                   *consumers (U.S. city average) increased during the 12-*  
23                   *month period ending with the last month for which Con-*  
24                   *sumer Price Index data is available. In the event that such*  
25                   *Consumer Price Index does not increase during such period,*

1 *the Secretary shall maintain the dollar amount in effect*  
2 *under subsection (a) during the previous fiscal year.”.*

3 (c) *EFFECTIVE DATE.*—*The amendments made by this*  
4 *section shall take effect on October 1, 2011.*

5 **SEC. 805. NATIONAL ACADEMIES REVIEW OF BEST TREAT-**  
6 **MENTS FOR CHRONIC MULTISYMP TOM ILL-**  
7 **NESS IN PERSIAN GULF WAR VETERANS.**

8 (a) *IN GENERAL.*—*The Secretary of Veterans Affairs*  
9 *shall seek to enter into an agreement with the Institute of*  
10 *Medicine of the National Academies to carry out a com-*  
11 *prehensive review of the best treatments for chronic multi-*  
12 *symptom illness in Persian Gulf War veterans and an eval-*  
13 *uation of how such treatment approaches could best be dis-*  
14 *seminated throughout the Department of Veterans Affairs*  
15 *to improve the care and benefits provided to veterans.*

16 (b) *GROUP OF MEDICAL PROFESSIONALS.*—*Under any*  
17 *agreement entered into under subsection (a), the Institute*  
18 *of Medicine shall convene a group of medical professionals*  
19 *who are experienced in treating individuals who served as*  
20 *members of the Armed Forces in the Southwest Asia Theater*  
21 *of Operations of the Persian Gulf War during 1990 or 1991*  
22 *and who have been diagnosed with chronic multisymptom*  
23 *illness or another health condition related to chemical and*  
24 *environmental exposure that may have occurred during*  
25 *such service.*



1       (c) *REPORT.*—Any agreement entered into under sub-  
2 section (a) shall require the Institute of Medicine to submit  
3 to the Secretary and to the Committees on Veterans’ Affairs  
4 of the Senate and House of Representatives a report on the  
5 review and evaluation described in subsection (a) by not  
6 later than December 31, 2012. The report shall include such  
7 recommendations for legislative or administrative action as  
8 the Institute considers appropriate in light of the results  
9 of the review.

10       (d) *FUNDING.*—Pursuant to any agreement entered  
11 into under subsection (a), the Secretary shall provide the  
12 Institute of Medicine with such funds as are necessary to  
13 ensure the timely completion of the review described that  
14 subsection.

15       (e) *DEFINITIONS.*—For purposes of this section:

16           (1) The term “chronic multisymptom illness in  
17 Persian Gulf War veterans” means a chronic multi-  
18 symptom illness defined by a cluster of signs or symp-  
19 toms relating to service in the Persian Gulf War,  
20 typically including widespread pain, persistent mem-  
21 ory and concentration problems, chronic headaches,  
22 gastrointestinal problems, and other abnormalities  
23 not explained by well-established diagnoses.

1           (2) *The term “Persian Gulf War” has the mean-*  
 2           *ing given that term in section 101(33) of title 38,*  
 3           *United States Code.*

4 **SEC. 806. EXTENSION AND MODIFICATION OF NATIONAL**  
 5           **ACADEMY OF SCIENCES REVIEWS AND EVAL-**  
 6           **UATIONS ON ILLNESS AND SERVICE IN PER-**  
 7           **SIAN GULF WAR AND POST-9/11 GLOBAL OPER-**  
 8           **ATIONS THEATERS.**

9           (a) *REVIEW AND EVALUATION OF AGENTS AND ILL-*  
 10          *NESSES ASSOCIATED WITH PERSIAN GULF WAR SERV-*  
 11          *ICE.—*

12           (1) *EXTENSION OF REVIEW AND EVALUATION.—*  
 13          *Subsection (j) of section 1603 of the Persian Gulf War*  
 14          *Veterans Act of 1998 (Public Law 105–277; 38 U.S.C.*  
 15          *1117 note), as amended by section 202(d)(2) of the*  
 16          *Veterans Education and Benefits Expansion Act of*  
 17          *2001 (Public Law 107–173; 115 Stat. 989), is amend-*  
 18          *ed by striking “October 1, 2010” and inserting “Octo-*  
 19          *ber 1, 2015”.*

20           (2) *DISAGGREGATION OF RESULTS BY THEATERS*  
 21          *OF OPERATIONS BEFORE AND AFTER SEPTEMBER 11,*  
 22          *2001.—Such section is further amended—*

23           (A) *in subsection (c)(1)(A), by striking*  
 24          *“who served in the Southwest Asia theater of op-*  
 25          *erations” and all that follows and inserting*

1           *“who may have been exposed by reason of service*  
2           *in the Southwest Asia theater of operations dur-*  
3           *ing the Persian Gulf War or, after September 11,*  
4           *2001, in another Post-9/11 Global Theater of Op-*  
5           *erations; and”;*

6                   *(B) in subsection (g)(1), by striking “Gulf*  
7           *War service” and inserting “service described in*  
8           *subsection (c)(1)(A)”;*

9                   *(C) in subsection (i)—*

10                   *(i) in paragraph (1), by striking*  
11           *“paragraph (5)” and inserting “paragraph*  
12           *(6)”;*

13                   *(ii) by redesignating paragraph (5) as*  
14           *paragraph (6); and*

15                   *(iii) by inserting after paragraph (4)*  
16           *the following new paragraph (5):*

17           *“(5) In each report under this subsection submitted*  
18           *after the date of the enactment of this paragraph, any deter-*  
19           *minations, results, and recommendations as described in*  
20           *paragraph (2) shall be submitted separately as follows:*

21                   *“(A) For the Southwest Asia theater of oper-*  
22           *ations for the period of the Persian Gulf War ending*  
23           *on September 11, 2001.*

1           “(B) *For the Post-9/11 Global Theaters of Oper-*  
2           *ations for the period of the Persian Gulf War begin-*  
3           *ning on September 11, 2001.*”; and

4           (D) *by adding at the end the following new*  
5           *subsection:*

6           “(l) *DEFINITIONS.—In this section:*

7           “(1) *The term ‘Persian Gulf War’ has the mean-*  
8           *ing given that term in section 101(33) of title 38,*  
9           *United States Code.*

10          “(2) *The term ‘Post-9/11 Global Theater of Oper-*  
11          *ations’ means Afghanistan, Iraq, and any other the-*  
12          *ater of operations for which the Global War on Ter-*  
13          *rorism Expeditionary Medal is awarded for service.*”.

14          (b) *REVIEW AND EVALUATION OF AVAILABLE EVI-*  
15          *DENCE REGARDING ILLNESS AND SERVICE IN PERSIAN*  
16          *GULF WAR.—*

17          (1) *IN GENERAL.—Subsection (j) of section 101*  
18          *of the Veterans Programs Enhancement Act of 1998*  
19          *(Public Law 105–368; 112 Stat. 3321) is amended by*  
20          *striking “11 years after” and all that follows through*  
21          *“under subsection (b)” and inserting “on October 1,*  
22          *2018”.*

23          (2) *DISAGGREGATION OF RESULTS BY THEATERS*  
24          *OF OPERATIONS BEFORE AND AFTER SEPTEMBER 11,*  
25          *2001.—Such section is further amended—*

1 (A) in subsection (c)(1)—

2 (i) in the matter preceding subpara-  
3 graph (A), by striking “Gulf war veterans”  
4 and all that follows through “Persian Gulf  
5 War” and inserting “veterans who served in  
6 the Armed Forces in the Southwest Asia  
7 theater of operations during the Persian  
8 Gulf War or, after September 11, 2001, in  
9 another Post-9/11 Global Theater of Oper-  
10 ations and the health consequences of expo-  
11 sures to risk factors during such service”;  
12 and

13 (ii) in subparagraph (A), by striking  
14 “who served” and all that follows through  
15 “such service” and inserting “who may  
16 have been exposed by reason of service in the  
17 Southwest Asia theater of operations during  
18 the Persian Gulf War or, after September  
19 11, 2001, in another Post-9/11 Global The-  
20 ater of Operations”;

21 (B) in subsection (e)(1)—

22 (i) in the matter preceding subpara-  
23 graph (A), by striking “Gulf War service or  
24 exposure during Gulf War service” and in-  
25 serting “service in the Armed Forces in the

1           *Southwest Asia theater of operations during*  
2           *the Persian Gulf War or, after September*  
3           *11, 2001, in another Post-9/11 Global The-*  
4           *ater of Operations or exposure during such*  
5           *service”;* and

6                     *(ii) in subparagraphs (E) and (F), by*  
7                     *striking “Gulf War veterans” each place it*  
8                     *appears and inserting “veterans described*  
9                     *in subsection (c)(1)”;*

10           *(C) in subsection (f)(1)—*

11                     *(i) by striking “service in the Persian*  
12                     *Gulf War” and inserting “service described*  
13                     *in subsection (c)(1)(A)”;* and

14                     *(ii) by striking “Gulf War service” and*  
15                     *inserting “such service”;*

16           *(D) in subsection (h), by adding at the end*  
17           *the following new paragraph:*

18           *“(5) In each report under this subsection submitted*  
19           *after the date of the enactment of this paragraph, any deter-*  
20           *minations, discussions, and recommendations as described*  
21           *in paragraph (2) shall be submitted separately as follows:*

22                     *“(A) For the Southwest Asia theater of oper-*  
23                     *ations for the period of the Persian Gulf War ending*  
24                     *on September 11, 2001.*

1           “(B) *For the Post-9/11 Global Theaters of Oper-*  
2           *ations for the period of the Persian Gulf War begin-*  
3           *ning on September 11, 2001.*”;

4           (E) *in subsection (i)—*

5           (i) *in paragraph (2)—*

6           (I) *by striking “Persian Gulf War*  
7           *service” and inserting “service de-*  
8           *scribed in subsection (c)(1)(A)”;*

9           (II) *by striking “service in the*  
10           *Persian Gulf War” and inserting*  
11           *“such service”; and*

12           (III) *by striking “Gulf War vet-*  
13           *erans” and inserting “veterans de-*  
14           *scribed in subsection (c)(1)(A)”;* and

15           (ii) *by adding at the end the following*

16           *new paragraph:*

17           “(4) *In each report under this subsection submitted*  
18           *after the date of the enactment of this paragraph, any rec-*  
19           *ommendations as described in paragraph (2) shall be sub-*  
20           *mitted separately as follows:*

21           “(A) *For the Southwest Asia theater of oper-*  
22           *ations for the period of the Persian Gulf War ending*  
23           *on September 11, 2001.*

1           “(B) *For the Post-9/11 Global Theaters of Oper-*  
2           *ations for the period of the Persian Gulf War begin-*  
3           *ning on September 11, 2001.*”; and

4           (F) *in subsection (k)—*

5           (i) *by striking “In this section, the*  
6           *term” and inserting the following: “In this*  
7           *section:*

8           “(1) *The term ‘Persian Gulf War’ has the mean-*  
9           *ing given that term in section 101(33) of title 38,*  
10           *United States Code.*

11           “(2) *The term ‘Post-9/11 Global Theater of Oper-*  
12           *ations’ means Afghanistan, Iraq, and any other the-*  
13           *ater of operations for which the Global War on Ter-*  
14           *rorism Expeditionary Medal is awarded for service.*

15           “(3) *The term*”; and

16           (ii) *in paragraph (3), as designated by*  
17           *clause (i)—*

18           (I) *by striking “vaccine associated*  
19           *with Gulf War service’ means” and in-*  
20           *serting “vaccine’, with respect to serv-*  
21           *ice described in subsection (c)(1)(A),*  
22           *means”; and*

23           (II) *by striking “service in the*  
24           *Armed Forces in the Southwest Asia*  
25           *theater of operations during the Per-*



1                    *sian Gulf War” and inserting “service*  
2                    *described in such subsection (c)(1)(A)”.*

3                    (3) *CONFORMING AMENDMENT.*—Section 1604 of  
4                    *the Persian Gulf War Veterans Act of 1998 (Public*  
5                    *Law 105–277; 38 U.S.C. 1117 note) is repealed.*

6    **SEC. 807. EXTENSION OF AUTHORITY FOR REGIONAL OF-**  
7                    ***FICE IN REPUBLIC OF THE PHILIPPINES.***

8                    (a) *EXTENSION OF AUTHORITY.*—Section 315(b) is  
9                    *amended by striking “December 31, 2010” and inserting*  
10                    *“December 31, 2011”.*

11                    (b) *REPORT.*—

12                    (1) *IN GENERAL.*—Not later than 1 year after  
13                    *the date of the enactment of this Act, the Comptroller*  
14                    *General of the United States shall submit to the Com-*  
15                    *mittee on Veterans’ Affairs and the Committee on Ap-*  
16                    *propriations of the Senate and the Committee on Vet-*  
17                    *erans’ Affairs and the Committee on Appropriations*  
18                    *of the House of Representatives a report on the re-*  
19                    *gional office of the Department of Veterans Affairs in*  
20                    *the Republic of the Philippines.*

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

23                    (A) *A description of the activities of the of-*  
24                    *fice described in such paragraph, including ac-*  
25                    *tivities relating to the administration of benefits*

1           *provided under laws administered by the Sec-*  
2           *retary of Veterans Affairs and benefits provided*  
3           *under the Social Security Act (42 U.S.C. 301 et*  
4           *seq.).*

5           *(B) An assessment of the costs and benefits*  
6           *of maintaining such office in the Republic of the*  
7           *Philippines in comparison with the costs and*  
8           *benefits of moving the activities of such office to*  
9           *the United States.*

10 **SEC. 808. EXTENSION OF AN ANNUAL REPORT ON EQUI-**  
11           **TABLE RELIEF.**

12           *Section 503(c) is amended by striking “December 31,*  
13           *2009” and inserting “December 31, 2014”.*

14 **SEC. 809. AUTHORITY FOR THE PERFORMANCE OF MEDICAL**  
15           **DISABILITY EXAMINATIONS BY CONTRACT**  
16           **PHYSICIANS.**

17           *Section 704(c) of the Veterans Benefits Act of 2003*  
18           *(Public Law 108–183; 38 U.S.C. 5101 note), as amended*  
19           *by section 105 of the Veterans’ Benefits Improvement Act*  
20           *of 2008 (Public Law 110–389; 122 Stat. 4149) is amended*  
21           *by striking “December 31, 2010” and inserting “December*  
22           *31, 2012”.*

1 **TITLE IX—AUTHORIZATION OF**  
2 **MEDICAL FACILITY PROJECTS**  
3 **AND MAJOR MEDICAL FACIL-**  
4 **ITY LEASES**

5 **SEC. 901. AUTHORIZATION OF FISCAL YEAR 2011 MAJOR**  
6 **MEDICAL FACILITY LEASES.**

7 *The Secretary of Veterans Affairs may carry out the*  
8 *following fiscal year 2011 major medical facility leases at*  
9 *the locations specified, in an amount not to exceed the*  
10 *amount shown for each such location:*

11 *(1) Billings, Montana, Community Based Out-*  
12 *patient Clinic, in an amount not to exceed*  
13 *\$7,149,000.*

14 *(2) Boston, Massachusetts, Outpatient Clinic, in*  
15 *an amount not to exceed \$3,316,000.*

16 *(3) San Diego, California, Community Based*  
17 *Outpatient Clinic, in an amount not to exceed*  
18 *\$21,495,000.*

19 *(4) San Francisco, California, Research Lab, in*  
20 *an amount not to exceed \$10,055,000.*

21 *(5) San Juan, Puerto Rico, Mental Health Fa-*  
22 *cility, in an amount not to exceed \$5,323,000.*

1 **SEC. 902. MODIFICATION OF AUTHORIZATION AMOUNT FOR**  
2 **MAJOR MEDICAL FACILITY CONSTRUCTION**  
3 **PROJECT PREVIOUSLY AUTHORIZED FOR THE**  
4 **DEPARTMENT OF VETERANS AFFAIRS MED-**  
5 **ICAL CENTER, NEW ORLEANS, LOUISIANA.**

6 *Section 801(a)(1) of the Veterans Benefits, Health*  
7 *Care, and Information Technology Act of 2006 (Public Law*  
8 *109–461; 120 Stat. 3442), as amended by section 702(a)(1)*  
9 *of the Veterans’ Mental Health and Other Care Improve-*  
10 *ments Act of 2008 (Public Law 110–387; 122 Stat. 4137),*  
11 *is amended by striking “\$625,000,000” and inserting*  
12 *“\$995,000,000”.*

13 **SEC. 903. MODIFICATION OF AUTHORIZATION AMOUNT FOR**  
14 **MAJOR MEDICAL FACILITY CONSTRUCTION**  
15 **PROJECT PREVIOUSLY AUTHORIZED FOR THE**  
16 **DEPARTMENT OF VETERANS AFFAIRS MED-**  
17 **ICAL CENTER, LONG BEACH, CALIFORNIA.**

18 *Section 802(9) of the Veterans Benefits, Health Care,*  
19 *and Information Technology Act of 2006 (Public Law 109–*  
20 *461; 120 Stat. 3443) is amended by striking*  
21 *“\$107,845,000” and inserting “\$117,845,000”.*

22 **SEC. 904. AUTHORIZATION OF APPROPRIATIONS.**

23 *(a) AUTHORIZATION OF APPROPRIATIONS FOR CON-*  
24 *STRUCTION.—There is authorized to be appropriated to the*  
25 *Secretary of Veterans Affairs for fiscal year 2011 for the*

1 *Construction, Major Projects* account \$1,112,845,000, of  
2 *which—*

3           (1) \$995,000,000 is for the increased amounts  
4           authorized for the project whose authorization is  
5           modified by section 902; and

6           (2) \$117,845,000 is for the increased amounts  
7           authorized for the project whose authorization is  
8           modified by section 903.

9           (b) *AUTHORIZATION OF APPROPRIATIONS FOR MED-*  
10 *ICAL FACILITY LEASES.*—*There is authorized to be appro-*  
11 *priated to the Secretary of Veterans Affairs for fiscal year*  
12 *2011 for the Medical Facilities account \$47,338,000 for the*  
13 *leases authorized in section 901.*

14           (c) *LIMITATIONS.*—*The projects whose authorizations*  
15 *are modified under sections 902 and 903 may only be car-*  
16 *ried out using—*

17           (1) *funds appropriated for fiscal year 2011 pur-*  
18 *suant to the authorization of appropriations in sub-*  
19 *section (a) of this section;*

20           (2) *funds available for Construction, Major*  
21 *Projects, for a fiscal year before fiscal year 2011 that*  
22 *remain available for obligation;*

23           (3) *funds available for Construction, Major*  
24 *Projects, for a fiscal year after fiscal year 2011 that*  
25 *remain available for obligation;*

1           (4) funds appropriated for Construction, Major  
2       Projects, for fiscal year 2011 for a category of activity  
3       not specific to a project;

4           (5) funds appropriated for Construction, Major  
5       Projects, for a fiscal year before 2011 for a category  
6       of activity not specific to a project; and

7           (6) funds appropriated for Construction, Major  
8       Projects, for a fiscal year after 2011 for a category of  
9       activity not specific to a project.

10 **SEC. 905. REQUIREMENT THAT BID SAVINGS ON MAJOR**  
11                   **MEDICAL FACILITY PROJECTS OF DEPART-**  
12                   **MENT OF VETERANS AFFAIRS BE USED FOR**  
13                   **OTHER MAJOR MEDICAL FACILITY CON-**  
14                   **STRUCTION PROJECTS OF THE DEPARTMENT.**

15       Section 8104(d) is amended—

16           (1) by striking “In any case” and inserting “(1)  
17       Except as provided in paragraph (2), in any case”;  
18       and

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

21       “(2)(A) In any fiscal year, unobligated amounts in the  
22       Construction, Major Projects account that are a direct re-  
23       sult of bid savings from a major medical facility project  
24       may only be obligated for major medical facility projects  
25       authorized for that fiscal year or a previous fiscal year.

1       “(B) Whenever the Secretary obligates amounts for a  
 2 major medical facility under subparagraph (A), the Sec-  
 3 retary shall submit to the Committee on Veterans’ Affairs  
 4 and the Committee on Appropriations of the Senate and  
 5 the Committee on Veterans’ Affairs and the Committee on  
 6 Appropriations of the House of Representatives notice of the  
 7 following:

8               “(i) The major medical facility project that is  
 9 the source of the bid savings.

10              “(ii) The other major medical facility project for  
 11 which the amounts are being obligated.

12              “(iii) The amounts being obligated for such other  
 13 major medical facility project.”.

## 14       **TITLE X—OTHER MATTERS**

### 15       **SEC. 1001. TECHNICAL CORRECTIONS.**

16       (a) CHAPTER 1.—The table of sections at the beginning  
 17 of chapter 1 is amended by striking the item relating to  
 18 section 118 and inserting the following new item:

“118. Submission of reports to Congress in electronic form.”.

19       (b) CHAPTER 11.—Section 1114(r)(2) is amended by  
 20 striking “\$\$2,983” and inserting “\$2,983”.

21       (c) CHAPTER 17.—Chapter 17 is amended as follows:

22              (1) In each of subparagraphs (A) and (B) of sec-  
 23 tion 1717(a)(2), by striking “the date of the Care-  
 24 givers and Veterans Omnibus Health Services Act of

1       2010” each place it appears and inserting “May 5,  
2       2010”.

3               (2) *In section 1785—*

4                       (A) *by striking “section 2811(b) of the Pub-*  
5                       *lic Health Service Act (42 U.S.C. 300hh–11(b))”*  
6                       *and inserting “section 2812 of the Public Health*  
7                       *Service Act (42 U.S.C. 300hh)”;* and

8                       (B) *by striking “paragraph (3)(A) of”.*

9       (d) *CHAPTER 19.—Chapter 19 is amended as follows:*

10               (1) *In the third sentence of section*  
11               *1967(a)(3)(B), by striking “spouse,,” and inserting*  
12               *“spouse,”.*

13               (2) *In the second sentence of section 1980A(h),*  
14               *by inserting “section” before “1968(a)”.*

15       (e) *CHAPTER 20.—Section 2044(e)(3) is amended by*  
16       *striking “fiscal year” and inserting “fiscal years”.*

17       (f) *CHAPTER 30.—The table of sections at the begin-*  
18       *ning of chapter 30 is amended by striking the item relating*  
19       *to section 3020 and inserting the following new item:*

*“3020. Authority to transfer unused education benefits to family members for ca-*  
*reer service members.”.*

20       (g) *CHAPTER 33.—Chapter 33 is amended as follows:*

21               (1) *In section 3313(c)(1), by striking “higher*  
22               *education” each place it appears and inserting “high-*  
23               *er learning”*



1           (2) *In section 3313(d)(3), by striking “assistance*  
2 *this chapter” and inserting “assistance under this*  
3 *chapter”.*

4           (3) *In section 3313(e)(2)(B), by inserting a pe-*  
5 *riod at the end.*

6           (4) *In section 3316(b)(2), by striking “supple-*  
7 *ment” and inserting “supplemental”.*

8           (5) *In section 3316(b)(3), by striking “edu-*  
9 *cational payable” and inserting “educational assist-*  
10 *ance payable”.*

11          (6) *In section 3318(b)(2)(B), by striking “higher*  
12 *education” and inserting “higher learning”.*

13          (7) *In section 3319(b)(2), by striking “section*  
14 *(k)” and inserting “subsection (j)”.*

15          (8) *In section 3321(b)(2), by striking “3312”*  
16 *and inserting “section 3312 of this title”.*

17          (h) *CHAPTER 35.—Section 3512(a)(6) is amended by*  
18 *striking “this clause” and inserting “this paragraph”.*

19          (i) *CHAPTER 36.—Section 3684(a)(1) is amended by*  
20 *striking “,” and inserting a comma.*

21          (j) *CHAPTER 37.—Section 3733(a)(7) is amended by*  
22 *inserting a comma after “2003”.*

23          (k) *CHAPTER 41.—Section 4102A(b)(8) is amended by*  
24 *striking “Employment and Training” and inserting “Em-*  
25 *ployment, Training”.*

1       (l) *CHAPTER 55.*—Chapter 55 is amended as follows:

2           (1) *In section 5510, in the second sentence of the*  
3 *matter preceding paragraph (1) by striking “fol-*  
4 *lowing: —” and inserting “following:”.*

5           (2) *In section 5510(9), by striking “government”*  
6 *and inserting “Government”.*

7       (m) *CHAPTER 57.*—Chapter 57 is amended as follows:

8           (1) *In section 5723(g)(2), by inserting “the” be-*  
9 *fore “Department”.*

10          (2) *In section 5727(20), by striking “subordinate*  
11 *plan defines” and inserting “plan that defines”.*

12       (n) *CHAPTER 73.*—Chapter 73 is amended as follows:

13           (1) *The table of sections at the beginning of such*  
14 *chapter is amended by striking the item relating to*  
15 *section 7333 and inserting the following new item:*

*“7333. Nondiscrimination against alcohol and drug abusers and persons infected  
with the human immunodeficiency virus.”.*

16           (2) *In section 7325(b)(2), by striking “section*  
17 *2811(b) of the Public Health Service Act (42 U.S.C.*  
18 *300hh–11(b))” and inserting “section 2812 of the*  
19 *Public Health Service Act (42 U.S.C. 300hh–11)”.*

20       (o) *CHAPTER 79.*—Section 7903(a) is amended by  
21 *striking “paragraph (2)” and inserting “paragraph (3)”.*

22       (p) *CHAPTER 81.*—Chapter 81 is amended as follows:

23           (1) *In section 8111A(a)(2)(B)(ii)—*

1           (A) by striking “section 2811(b) of the Pub-  
2           lic Health Service Act (42 U.S.C. 300hh–11(b))”  
3           and inserting “section 2812 of the Public Health  
4           Service Act (42 U.S.C. 300hh)”; and

5           (B) by striking “paragraph (3)(A) of”.

6           (2) In section 8117(e)—

7           (A) in paragraph (1), by striking “(42  
8           U.S.C. 300hh–11(b))” and inserting “(42 U.S.C.  
9           300hh–11)”; and

10          (B) in paragraph (2), by striking “(42  
11          U.S.C. 247d–6(a))” and inserting “(42 U.S.C.  
12          247d–6)”.

13 **SEC. 1002. STATUTORY PAY-AS-YOU-GO ACT COMPLIANCE.**

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

Amend the title so as to read: “An Act to amend title 38, United States Code, and the Servicemembers Civil Relief Act to make certain improvements in the laws

administered by the Secretary of Veterans Affairs, and for other purposes.”.

Attest:

*Secretary.*



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

**H.R. 3219**

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**AMENDMENTS**