

its High-Risk List in 2015, and it remains there today.

Last Congress, the committee held a roundtable discussion with representatives from VA and GAO to address VA's progress towards addressing GAO's concerns. While it takes an agency, on average, 7 years to be removed from the list, VA has demonstrated little progress. Additionally, GAO added that VA Acquisition Management to its 2019 list.

H.R. 4477, as amended, would require VA to develop a plan of action to address deficiencies in acquisition management and healthcare that led GAO to place VA on their High-Risk List in 2015 and again in 2017 and again in 2019. It would also incorporate a provision under H.R. 698, a bill introduced by Representative JIM BANKS of Indiana, to direct VA to report on its efforts to address GAO's priority recommendations and GAO's top 30 open recommendations.

Our Nation's veterans and taxpayers deserve a VA that is high performing and that acts quickly to address areas of concern as they arise. This help will help ensure that they get it done.

I am grateful to Congressman PAPPAS and General BERGMAN for sponsoring this bill, which has my full support, but I would be remiss if I did not point out that this is another bill that did not go through regular order.

Madam Speaker, I reserve the balance of my time.

Mr. TAKANO. Madam Speaker, I have no further speakers, and I am prepared to close.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, it is my privilege to yield as much time as he may consume to the gentleman from Michigan (Mr. BERGMAN), a lieutenant general—and for those of you all who don't know what that is, it is three stars; I only made it to a major—to describe his bill.

Mr. BERGMAN. Madam Speaker, basically, when you have three stars, it just means you outlasted a lot of folks. But the point is the honor of being able to serve among marines, sailors, soldiers, airmen, and coastguardsmen is enough to make us all swell with pride because, you know, yesterday was Veteran's Day, and it is a real special day thanking the veterans of all wars for their service to our country.

I rise today in support of H.R. 4477, as amended, the Reducing High Risk to Veterans and Veterans Services Act, a bill introduced by Oversight and Investigations Subcommittee Chairman CHRIS PAPPAS and co-led by myself.

Every 2 years, GAO publishes its High-Risk List identifying those activities which are considered high risk due to their vulnerabilities to fraud, waste, abuse, and mismanagement or their need for transformation. Sometimes things don't always stay the same, and we need to move forward with the change.

As Ranking Member ROE stated, GAO added managing risks and improving VA healthcare to its list in 2015 and

added VA Acquisition Management in 2019. This past May, the Comptroller General of the United States testified before the Oversight and Investigations Subcommittee, where I am proud to serve as ranking member, concerning the Department's efforts to add GAO recommendations.

Comptroller General Dodaro testified during the hearing: "I want to emphasize hardly any area in the high-risk area gets off the list without sustained congressional oversight, as well, and action by the Congress. The engagement by the Congress is absolutely critical to the success of agencies coming off the High-Risk List."

The intent of this bill is to focus VA on its efforts to remove these two programs from GAO's High-Risk List and give Congress the information needed to provide the sustained congressional oversight the Comptroller General said was absolutely necessary and needed to remove programs from the High-Risk List.

H.R. 4477 was amended in committee to incorporate provisions of H.R. 698, a bill introduced by Representative BANKS, which would require VA to report on its efforts to implement GAO's priority recommendations for VA.

I strongly encourage all Members to support H.R. 4477, as amended.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I encourage all Members to support the bill, and I yield back the balance of my time.

Mr. TAKANO. Madam Speaker, I urge all my colleagues to join me in passing H.R. 4477, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 4477, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

VA TELE-HEARING MODERNIZATION ACT

Mr. TAKANO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4771) to amend title 38, United States Code, to permit appellants to appear in disability compensation cases before the Board of Veterans' Appeals by picture and voice transmission from locations other than facilities of the Department of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4771

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE.

This Act may be cited as the "VA Tele-Hearing Modernization Act".

SECTION 2. HEARINGS BEFORE THE BOARD OF VETERANS' APPEALS BY MEANS OF TELECONFERENCE FROM LOCATIONS OTHER THAN FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 7107(c)(2) of title 38, United States Code, is amended—

(1) in subparagraph (A), by inserting "or subparagraph (C) of this paragraph" after "subparagraph (B) of such paragraph";

(2) in subparagraph (B), by inserting "or subparagraph (A) of such paragraph"; and

(3) by adding at the end the following new subparagraph (C):

"(C)(i) Upon notification of a Board hearing under subparagraph (A) or (B) of paragraph (1), the appellant may alternatively request a hearing by picture and voice transmission—

"(I) at a location selected by the appellant; and

"(II) via a secure internet platform established and maintained by the Secretary that protects sensitive personal information from a data breach.

"(ii) If an appellant makes a request under clause (i), the Board shall grant such request."

(b) DEADLINE FOR IMPLEMENTATION.—The Secretary shall implement the amendments made by subsection (a) not later than 180 days after the date of the enactment of this Act.

(c) REPORTING.—

(1) ANNUAL REPORTING REQUIREMENTS.—Section 7101(d)(2) of such title is amended—

(A) in subparagraph (E), by striking "; and" and inserting a semicolon;

(B) in subparagraph (F), by striking the period at the ending and inserting "; and"; and

(C) by adding at the end the following new subparagraph:

"(G) with respect to hearings scheduled under section 7107(c)(2)(C) of this title—

"(i) the number of hearings scheduled under such section;

"(ii) the number of hearings under such section that were cancelled; and

"(iii) any statistical difference in outcomes between cases heard under such section and those held at the principal location of the Board or by picture and voice transmission at a facility of the Department."

(2) ONE-TIME REPORTING REQUIREMENTS.—The first report required to be submitted under section 7101(d) of title 38, United States Code, shall include the following information with respect to hearings scheduled under subparagraph (C) of paragraph (2) of subsection (c) of section 7101 of such title, as added by subsection (a):

(A) An outline of the outreach the Secretary of Veterans Affairs plans to conduct to inform veterans, families of veterans, survivors of veterans, veterans service organizations, military service organizations, congressional caseworkers, advocates for veterans, and such other stakeholders as the Secretary considers appropriate about hearings scheduled under such subparagraph, including—

(i) a description of the resources required to conduct such outreach;

(ii) a timeline for conducting such outreach; and

(iii) information related to the advantages and potential technological challenges of conducting hearings under such subparagraph.

(B) A description of any modifications to the information technology systems of the Veterans Benefits Administration and the Board of Veterans' Appeals required to carry out hearings under such subparagraph, including cost estimates and a timeline for making such modifications.

(C) A detailed description of the intra-agency partnership between the Board of Veterans' Appeals and the telehealth program of the Veterans Health Administration as the Board conducts hearings under such subparagraph, including best practices, a risk assessment overview, risk mitigation efforts, and a plan for ongoing collaboration and information sharing.

(d) *COLLABORATION.*—*In developing the capacity and procedures to conduct hearings under subparagraph (C) of paragraph (2) of subsection (c) of section 7101 of title 38, United States Code, as added by subsection (a), the Secretary of Veterans Affairs shall collaborate with, partner with, and give weight to the advice of veterans service organizations and such other stakeholders as the Secretary considers appropriate.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Tennessee (Mr. DAVID P. ROE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. TAKANO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 4771, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TAKANO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 4771, as amended, introduced by Mr. CUNNINGHAM. I support this legislation that creates an easy technological fix so veterans can quickly and conveniently attend their hearings before the Board of Veterans' Appeals.

Applying for disability compensation and benefits through VA can be a long and confusing ordeal, which is further complicated in the appeals process. Currently, veterans often face difficulties traveling to VA regional offices for their Board hearings, difficulties including long wait times, scheduling challenges, or simply the distance an elderly or disabled veteran may have to travel.

Madam Speaker, the VA Tele-Hearing Modernization Act permits veterans to provide testimony before a veterans law judge via video conference from a location outside of a VA facility. This means a veteran could testify in support of his or her claim from the comfort of their own home.

Now, VA told us this piece of legislation could have an especially positive impact on hearing access for homebound or rural veterans. This bill ensures veterans have the flexibility to appeal VA's decisions in a comfortable, accessible location without affecting the security of their personal information.

The tele-hearing program is modeled after the existing telehealth program at the Veterans Health Administration and will likely improve hearing attendance and help veterans receive their benefits. A tele-hearing pilot program conducted by the Board showed increased participation in hearings as well as increased efficiency and timeliness of requested hearings.

Under this bill, VA is required to provide annual reports to Congress with information about how often the tele-

hearing option is used by veterans and whether those claimants are as likely to have their claims granted as veterans using the traditional hearing methods. This report allows Congress to ensure this program is working the way it should.

I thank Representative CUNNINGHAM for introducing this bill, and I support this legislation for the step it takes to simplify the appeals process for our veterans.

Madam Speaker, I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 4771, as amended, the Department of Veterans Affairs Tele-Hearing Modernization Act. This bill would expand the Board of Veterans' Appeals hearing options to include tele-hearings.

I appreciate my colleagues, Chairman ISAKSON, Chairman TAKANO, and Ranking Member TESTER, for working with me on this bill to ensure that the virtual hearing concept included in this bill represents the input of all four corners of Congress.

Madam Speaker, we all depend on and use our smartphones for just about everything we do these days. This legislation would allow veterans to use their personal device for a VA hearing.

I am happy that we are moving this legislation to make hearings more accessible to veterans, especially those in rural areas where I live or for whom travel might be physically challenging.

This bill was amended in committee to include additional reporting requirements that will help Congress monitor the implementation of this program. Specifically, the Board would be required to report on its outreach to veterans and stakeholders on the option for a tele-hearing, including the advantages and potential technological challenges of a tele-hearing, the IT modifications needed to conduct tele-hearings, and the partnership between the Board and the Veterans Health Administration, VHA, to share lessons learned from their respective programs since the tele-hearing program is modeled after the telehealth program that VA uses to increase access to care for veteran patients.

The amended bill would also require VA to collaborate with veteran service organizations and other stakeholders to ensure that those who represent veterans at these hearings will have input into how the program is developed so that it can best meet the needs of our veterans.

Madam Speaker, this bill has my full support, and I reserve the balance of my time.

Mr. TAKANO. Madam Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. CUNNINGHAM), my good friend, member of the Economic Opportunity Subcommittee, and author of H.R. 4771.

Mr. CUNNINGHAM. Madam Speaker, today I am proud to rise in support of

my bill, the VA Tele-Hearing Modernization Act, which will make it easier for our Nation's veterans to appeal their claims with the Department of Veterans Affairs.

Currently, the Board of Veterans' Affairs only conducts tele-hearings from certain VA locations, meaning veterans have to travel to testify in support of their claims; and, in many cases, this forces Lowcountry veterans to drive all the way to Columbia.

My bill offers a commonsense solution to this problem by allowing veterans to teleconference into these hearings from the comfort of their own homes using their personal computers.

Further, this legislation will require these hearings to take place via a secure platform so that veterans do not have to sacrifice the security of their sensitive personal information to take advantage of this new process. This change will not only benefit those veterans who may be otherwise unable to travel for their hearing, but will also help to expedite the appeals process for veterans across the board.

With veterans given the freedom to participate in their appeals hearing from a place of their own choosing, no-shows, which add to the appeals backlog and slow down the process for everyone, will be significantly reduced, all with no additional cost to taxpayers.

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The VA Tele-Hearing Modernization Act is exemplary of the sorts of advances that we can make when both parties come together for the sake of our veterans.

Madam Speaker, I thank Congressman KATKO for signing on as an original cosponsor. I also want to thank Chairman TAKANO and Ranking Member ROE for their leadership on the committee and for expediting this legislation, as well as their staffs for all their hard work.

Madam Speaker, I urge all my colleagues on both sides of the aisle to join in supporting this legislation for our veterans, who have sacrificed too much to need to jump through hoops for a fair hearing on their claims.

Mr. TAKANO. Madam Speaker, I thank the gentleman from South Carolina (Mr. CUNNINGHAM) for his hard work.

I have no further speakers, and I am prepared to close.

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I have no further speakers. I also am prepared to close.

Madam Speaker, I encourage everyone to support this. This is obviously, in rural America, how we are going to have access to healthcare in the future. It absolutely makes sense. This technology is available to almost everyone.

It makes no sense to make an infirm veteran or other patients go miles and miles and hours. This just makes sense. We have the technology to do it today, and I strongly support this and encourage my colleagues to do the same.

Madam Speaker, I yield back the balance of my time.

Mr. TAKANO. Madam Speaker, I urge all of my colleagues to join me in passing this important piece of legislation, H.R. 4771, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 4771, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to amend title 38, United States Code, to permit appellants to appear in cases before the Board of Veterans' Appeals by picture and voice transmission from locations other than facilities of the Department of Veterans Affairs, and for other purposes."

A motion to reconsider was laid on the table.

VA OVERPAYMENT ACCOUNTABILITY ACT

Mr. TAKANO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4360) to amend title 38, United States Code, to improve the due process accorded veterans with respect to recovery of overpayments made by the Department and other amounts owed by veterans to the United States, to improve the processing of veterans benefits by the Department of Veterans Affairs, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4360

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "VA Overpayment Accountability Act".

SEC. 2. REPAIR OF CREDIT.

(a) IN GENERAL.—Chapter 53 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 5320. Correction of erroneous information submitted to consumer reporting agencies

"(a) CORRECTING ERRORS BY THE DEPARTMENT.—In any case in which the Secretary finds that the Department has submitted erroneous information to a consumer reporting agency about the indebtedness of any person who has been determined by the Secretary to be indebted to the United States by virtue of the participation of that person in a benefits program administered by the Secretary, the Secretary shall—

"(1) instruct the consumer reporting agency to remove such erroneous information from the consumer report of such person or take such other action as may be required to ensure that such erroneous information is not included in the report of such person; and

"(2) transmit to the consumer reporting agency such information as the consumer reporting agency may require to take such appropriate actions.

"(b) CORRECTING ERRORS BY DEBT COLLECTORS.—In any case in which the Secretary

finds that a debt collector acting on behalf of the Department has submitted erroneous information to a consumer reporting agency about the indebtedness of any person who has been determined by the Secretary to be indebted to the United States by virtue of the participation of that person in a benefits program administered by the Secretary, the Secretary shall instruct the debt collector to request the consumer reporting agency remove such erroneous information from the consumer report of such person or take such other action as may be required to ensure such erroneous information is not included in the report of such person.

"(c) NOTICE.—Not later than 60 days after the date on which the Secretary issues an instruction under subsection (a)(1) or (b) with respect to a person, the Secretary shall notify the person that the Secretary issued such instruction.

"(d) DEFINITIONS.—In this section:

"(1) The terms 'consumer report' and 'consumer reporting agency' have the meanings given such terms in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a).

"(2) The term 'debt collector' has the meaning given such term in section 803 of the Fair Debt Collection Practices Act (15 U.S.C. 1692a)."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of such title is amended by adding at the end the following new item:

"5320. Correction of erroneous information submitted to consumer reporting agencies."

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply with respect to deductions made under section 5314 of such title, administrative costs under section 5315 of such title, and suits filed under section 5316 of such title on or after such date.

SEC. 3. IMPROVED PROCESSING OF BENEFITS BY DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs shall improve the information technology of the Department of Veterans Affairs (including the eBenefits system or successor system) as may be necessary to achieve the following:

(1) NOTIFICATION OF DEBTS INCURRED.—The Secretary shall provide a notification to a person who—

(A) is entitled to a payment from the Secretary under a benefits program administered by the Secretary;

(B) incurs a debt to the United States under that benefits program; and

(C) elects to receive such notifications.

(2) REVIEW OF INFORMATION REGARDING DEPENDENTS.—A person entitled to a payment from the Secretary under a benefits program administered by the Secretary may review information relating to dependents of that person.

(3) TRACKING METRICS.—The Secretary shall be able to track—

(A) the number and amount of payments made by the Secretary to a person entitled to a payment from the Secretary under a benefits program administered by the Secretary who incurs a debt to the United States under such program;

(B) the average debt to the United States incurred by a person described in subparagraph (A);

(C) how frequently the Secretary approves and denies applications for relief under section 5302(a) of title 38, United States Code; and

(D) such other metrics the Secretary determines appropriate.

SEC. 4. AUDIT OF ERRONEOUS PAYMENTS BY VETERANS BENEFITS ADMINISTRATION; PLAN OF CORRECTION.

(a) AUDIT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall complete an audit to determine the following:

(1) The frequency by which the Department of Veterans Affairs makes an error that results in a payment to a person by virtue of such person's participation in a benefits program administered by the Secretary that such person is not entitled to or in an amount that exceeds the amount to which the person is entitled.

(2) Whether and to what degree vacant positions in the Veterans Benefits Administration affect such frequency.

(b) PLAN.—Not later than 30 days after the completion of the audit under subsection (a), the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a plan and description of resources necessary to align information technology systems to ensure that errors described in subsection (a)(1) are not the result of communication or absence of communication between information technology systems.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Tennessee (Mr. DAVID P. ROE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. TAKANO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 4360.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TAKANO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 4360, the VA Overpayment Accountability Act, introduced by Representative KIM.

This bill protects veterans by ensuring that the Department of Veterans Affairs reviews and updates its systems and policies to minimize overpayments in the future and mitigate negative effects on veterans.

Now, under certain circumstances, if the Department of Veterans Affairs makes accounting errors that result in overpayment of benefits, veterans are left saddled with debt. Then, within a short period of time, these veterans are required to pay these overpayments back to VA, placing an extraordinary financial burden on them.

The VA can, and sometimes does, withhold part of veterans' monthly benefit checks to recover overpayments, exacerbating these financial hardships.

In some cases, VA may send these debts to a debt collection agency, compounding veterans' financial stress.

If the information submitted by VA to a consumer reporting agency is incorrect either because VA later determines its payment was not in error or