

such cemetery shall permit the interment or funeral, memorial service, or ceremony of a deceased veteran at the cemetery during weekends, other than Federal holiday weekends, upon a request of the next-of-kin of the veteran.”

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to deaths occurring on or after the date of the enactment of this Act.

(d) **NOTICE REQUIREMENT.**—Upon receipt of a request for an application for burial or interment in a national cemetery, the Secretary of Veterans Affairs shall provide notice to the individual submitting the request of the opportunity to request the interment or funeral, memorial service, or ceremony of a deceased veteran at a national cemetery during weekends, other than Federal holiday weekends, as authorized by subsection (i) of section 2404 of title 38, United States Code, as added by subsection (a).

The **SPEAKER pro tempore.** Pursuant to the rule, the gentleman from Florida (Mr. **MILLER**) and the gentlewoman from Florida (Ms. **BROWN**) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

#### GENERAL LEAVE

Mr. **MILLER** of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

Mr. **MILLER** of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3715, as amended, the Final Farewell Act of 2016.

We know that it can sometimes be a challenge to take time away from work to attend a funeral or a memorial service for a loved one. This bill, which is sponsored by the ranking member of the Committee on Veterans' Affairs, Congresswoman **CORRINE BROWN** of Florida, would lessen that challenge for those arranging to attend the funeral service of a veteran buried in a national cemetery.

This bill would require VA, upon the request of the family of the deceased, to permit weekend funerals and memorial services. In doing so, this bill would allow more family members and friends to pay final respects to their loved ones as they are laid to rest.

Our veterans—the men and women who sacrificed so much for us—have earned the right to be treated with honor and respect after they pass on. Although I support this bill, I understand that some of the State Directors of Veterans Affairs have raised concerns with the restriction it contains on grants to State and tribal cemeteries who receive Federal grants. I look forward to working with the ranking member to address these concerns during the upcoming negotiations with the Senate.

I want to thank Ms. **BROWN** once again for sponsoring this legislation and bringing this very important issue

to our attention. I urge all of my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Ms. **BROWN** of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3715, as amended, the Final Farewell Act. This bill is of great importance to many families who traditionally hold funerals on weekends.

While the VA has the authority to provide weekend services to veterans and their families, they rarely do. This has been a particular challenge for various religions and cultures who bury their loved ones on Saturday. Furthermore, these families are forced to bear the cost of storing their loved one's remains over the weekend. However, this bill, as amended, makes weekend burials available to all veterans, regardless of their reasoning and need for a weekend burial.

This benefit for our veterans is to honor their service to our country. Their loved ones should have the opportunity to mourn their loss at a time that works for them. I thank all Members for their consideration and support for this commonsense change.

Mr. Speaker, I want to thank Chairman **MILLER** for his support of this important legislation, and I urge passage of this very important bill.

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

Mr. **MILLER** of Florida. Once again, Mr. Speaker, I urge all of my colleagues to support this legislation.

I yield back the balance of my time.

The **SPEAKER pro tempore.** The question is on the motion offered by the gentleman from Florida (Mr. **MILLER**) that the House suspend the rules and pass the bill, H.R. 3715, 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 direct the Secretary of Veterans Affairs to permit interments, funerals, memorial services, and ceremonies of deceased veterans at national cemeteries and State cemeteries receiving grants from the Department of Veterans Affairs during certain weekends.”

A motion to reconsider was laid on the table.

#### SUPPORT OUR MILITARY CAREGIVERS ACT

Mr. **MILLER** of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3989) to amend title 38, United States Code, to improve the process for determining the eligibility of caregivers of veterans to certain benefits administered by the Secretary of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3989

*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 “Support Our Military Caregivers Act”.

#### SEC. 2. EXTERNAL CLINICAL REVIEW OF DENIED APPLICATIONS BY CAREGIVERS OF VETERANS.

(a) **IN GENERAL.**—Section 1720G of title 38, United States Code, is amended—

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

(2) by inserting after subsection (c) the following new subsection (d):

“(d) **EXTERNAL CLINICAL REVIEW OF APPLICATIONS.**—(1) Using amounts otherwise appropriated to carry out this section, an individual may elect to have an independent contractor described in paragraph (2) perform an external clinical review of any of the following:

“(A) The denial by the Secretary of an application by an individual to be a caregiver or family caregiver eligible for the program of comprehensive assistance administered by the Secretary pursuant to this section.

“(B) With respect to such an application that the Secretary has granted, a determination by the Secretary of the level or amount of personal care services that a veteran requires.

“(C) A request by a caregiver or family caregiver for a reconsideration of the level or amount of personal care services that a veteran requires based on changes to the health or abilities of the veteran occurring since the Secretary granted such an application.

“(D) The revocation by the Secretary of assistance administered by the Secretary pursuant to this section.

“(2) An independent contractor described in this paragraph is an independent contractor that—

“(A) is awarded a contract by the Secretary to carry out this section pursuant to full and open competition under the Federal Acquisition Regulation;

“(B) has no direct or indirect financial relationship with any non-Department provider of services to caregivers and family caregivers pursuant to this title;

“(C) has not otherwise conducted an external clinical review of benefits administered by the Secretary pursuant to this title other than this section;

“(D) has sufficient training and expertise in medical science and other appropriate health, educational, and vocational training and legal matters to perform the reviews described in paragraph (1); and

“(E) employs a panel of physicians or other appropriate health care professionals who do not provide health care to the individual who makes an election under paragraph (1).

“(3) Each external clinical review conducted pursuant to paragraph (1) shall—

“(A) be based on applicable information included in the application for assistance described in such paragraph, including clinical expertise, medical, technical, and scientific evidence;

“(B) include an opportunity for both the individual who elects for such review and, to the extent possible, the veteran for whom care is being provided to offer opinions and supporting data as to the level of care required; and

“(C) include a review of the initial clinical review of such veteran and any other review made by the Secretary.

“(4) In carrying out the external clinical reviews pursuant to paragraph (1), the independent contractor shall, as determined appropriate by the Secretary—

“(A) collect and maintain information required; and

“(B) share such information with the Secretary.

“(5) The Secretary shall take into account, but is not bound by, any determination made by the independent contractor pursuant to paragraph (1) in determining the final decision with respect to the application for assistance. The Secretary may make a final decision that is contrary to such a determination if the Secretary includes clinically supported documentation with the decision.

“(6) The Secretary shall ensure that each external clinical review conducted by the independent contractor pursuant to paragraph (1) is completed and the Department is notified in writing of the results of the review by not later than 120 days after the date on which the individual makes the election under such paragraph. Not later than 30 days after the delivery of the determination recommended by the independent contractors, the Secretary shall ensure that the veteran and the individual making the election under such paragraph is notified in writing of the final decision of the Secretary. In accordance with paragraph (5), such notification shall include an explanation of the recommended decision, a discussion of the facts and applicable regulations, and an explanation of the clinical rationale for the final decision.

“(7) The Secretary shall notify individuals who submit an application to be a caregiver or family caregiver eligible for the program of comprehensive assistance administered by the Secretary pursuant to this section of the ability of the individual to make an election under paragraph (1).

“(8) Nothing in this subsection may be construed to affect claims made by veterans for disability compensation under chapter 11 of this title.”

(b) APPLICATION.—The amendments made by subsection (a) shall apply with respect to elections under subsection (d) of section 1720G of title 38, United States Code, as added by subsection (a)(2), that are for applications or revocations for assistance for caregivers and family caregivers pursuant to such section for which the Secretary of Veterans Affairs has not made a final decision as of the date of the enactment of this Act.

### SEC. 3. PROCESS TO DETERMINE ELIGIBILITY FOR CAREGIVERS OF VETERANS.

(a) DIRECTIVES.—The Secretary of Veterans Affairs shall issue directives regarding the policies, procedures, and operational requirements for the Family Caregiver Program, including with respect to determining the eligibility of an individual to participate in the Family Caregiver Program.

(b) GAO REPORT.—The Comptroller General of the United States shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on the processes of the Secretary of Veterans Affairs with respect to—

(1) determining the eligibility of an individual to participate in the Family Caregiver Program;

(2) adjudicating appeals to such determinations; and

(3) the periodic eligibility reevaluation of an individual participating in such program and the communication of any changes as a result of such reevaluations to the veteran and caregiver.

(c) FAMILY CAREGIVER PROGRAM DEFINED.—In this section, the term “Family Caregiver Program” either the program of comprehensive assistance for family caregivers or the program of general caregiver support services established by section 1720G of title 38, United States Code.

### SEC. 4. MODIFICATION TO LIMITATION ON AWARDS AND BONUSES.

Section 705 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 703 note) is amended to read as follows:

#### “SEC. 705. LIMITATION ON AWARDS AND BONUSES PAID TO EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

“The Secretary of Veterans Affairs shall ensure that the aggregate amount of awards and bonuses paid by the Secretary in a fiscal year under chapter 45 or 53 of title 5, United States Code, or any other awards or bonuses authorized under such title or title 38, United States Code, does not exceed the following amounts:

“(1) With respect to each of fiscal years 2017 through 2021, \$230,000,000.

“(2) With respect to each of fiscal years 2022 through 2024, \$360,000,000.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentlewoman from Florida (Ms. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

#### GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3989, as amended, Support Our Military Caregivers Act.

Congress created the Family Caregivers Program in 2010 to support those family members and friends who put their own lives and careers on hold to care for those veterans who have been gravely wounded in service to our Nation following September 11, 2001. At the time, VA expected 3,000 family caregivers would apply for the program. However, in fiscal year 2015 alone, more than 24,000 caregivers participated in and received at least one stipend payment through the program.

Unsurprisingly, in 2014, the GAO found that staffing for the Family Caregivers Program was insufficient to meet higher-than-expected demand, and staffing shortages impeded the timeliness of the program and negatively impacted services to veterans and caregivers. This is unacceptable.

H.R. 3989, as amended, would provide a safety valve for understaffed VA caregiver support coordinators by allowing veterans and caregivers to elect to have an independent entity provide a clinical review of eligibility for the Family Caregivers Program in certain instances. VA would be required to take the external clinical review into account and to provide clinical justification if VA's ultimate decision is contrary to the findings contained in the external clinical review.

To increase transparency and ensure the program is functioning as Congress

intended, it would also require VA to issue directives outlining the policies, procedures, and operational requirements for the Family Caregivers Program and would require GAO to report to Congress on VA's processes for determining eligibility for the Family Caregivers Program, adjudicating appeals for the Family Caregivers Program, and periodically reevaluating eligibility for program participants and communicating any changes that result from such reevaluation to the veteran or caregiver in question.

Finally, the bill would also limit the amount of taxpayer dollars that VA can spend on awards and bonuses to VA employees.

H.R. 3989, as amended, is sponsored by Congresswoman ELISE STEFANIK of New York, and I thank her for her hard work and advocacy in introducing this bill on behalf of our veterans and caregivers.

Mr. Speaker, I reserve the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3989, as amended. I know firsthand how difficult it is to deal with the illness of a loved one. I was blessed with the continued vibrant presence of Big Mama, my grandmother, until just a few years ago. My mother is with me now in Florida.

I want to say that the work of a caregiver is God's work. I cannot think of anything more rewarding, pleasing, tiring, exhausting or mentally draining than taking care of a family member.

I was pleased to support the Caregiver Assistance and Resource Enhancement Act in the 111th Congress. President Obama signed into law the Caregivers and Veterans Omnibus Health Services Act on May 5, 2010.

The law requires the Secretary of Veterans Affairs to establish caregiver support services to veterans. Family caregivers are the foundation of the long-term care system, with more than 50 million people who provide informal caregiving for a chronically ill, disabled, or aging family member or friend in any given year in the United States. In fact, it is estimated that about 80 percent of adults living in the community and in need of long-term care depend on family caregivers, therefore, costly institutional nursing home care.

The one issue I have with the legislation is that the bill asks the VA to report on expanding the caregiver program. We all know about the program. It works.

Why have another report when we should just expand the program?

Let me repeat that. We already know that the program works. We don't need another report. What we need is to just expand the program.

I would ask that the Speaker allow us to bring up H.R. 2894, the Caregivers Access and Responsible Expansion for All Veterans Act.

□ 1645

This bill expands the caregivers programs to veterans of all eras. The caregivers program works, and we need to expand the program.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I yield such time as she may consume to the gentlewoman from the 21st District of New York (Ms. STEFANIK), the sponsor of this important piece of legislation.

Ms. STEFANIK. Mr. Speaker, I rise today regarding H.R. 3989, the Support Our Military Caregivers Act.

After working with a constituent who was having trouble with the bureaucratic Military Caregiver system at the VA, I was proud to introduce this legislation last November.

Military caregivers are loved ones who selflessly care for our Nation's heroes behind the scenes to enhance their everyday lives.

Thankfully, the Family Caregiver Program, implemented in 2011, was designed to ensure caregivers were not forgotten. My bill would guarantee that those who dedicate their lives as caregivers receive the support they so desperately need and they so desperately deserve.

My district has the largest veteran population of any district in New York State. This has provided me with a greater understanding of the selfless sacrifice our veterans and their families provide to our community and our Nation.

Over the last 15 years of war, our servicemembers have served bravely and their families have sacrificed an immeasurable amount. So it is vital that we ensure they receive the best possible care available.

Unfortunately, the VA has had a difficult time managing the high demand of Family Caregiver enrollees, which is much larger than originally accounted for.

VA medical centers lack sufficient caregiver support coordinators and the necessary clinical staff to carry out medical assessments for eligibility. Application deadlines are not being met by their own internal standards, and the staff is still shorthanded.

This bill would ensure that military caregivers have access to an objective third party to conduct clinical reviews in the event of an appeal. It also ensures that the process is transparent so that our veterans and caregivers are never left with an unanswered question.

Military caregivers are truly silent heroes in our communities and deserve the respect and benefits proportionate to their significant contributions.

Mr. Speaker, I am truly humbled to represent the veterans in my district and will continue to work to improve their lives.

I want to thank Chairman BENISHEK of the Veterans' Affairs Health Subcommittee for working with me on this legislation as well as Chairman MILLER

and Ranking Member BROWN for their leadership and bipartisan support of this bill.

I urge all my colleagues to support this important bill to improve the lives of our veterans and their caregivers.

Ms. BROWN of Florida. Mr. Speaker, I urge passage of H.R. 3989, as amended, a bill that is designated to create a process for external clinical review of the VA caregivers program.

I am hoping that the chairman, as we move forward, will work with the Senate and try to come up with a way that we can at least have a pilot program to expand the caregivers program.

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

Mr. MILLER of Florida. Mr. Speaker, I have one remaining speaker. I yield 1 minute to the gentleman from Iowa (Mr. YOUNG).

Mr. YOUNG of IOWA. Mr. Speaker, I rise today in support of the Support Our Military Caregivers Act, of which I am a proud cosponsor.

Congress established the Family Caregiver Program to assist military caregivers and, yet, many face delays in getting the support they need to effectively care for our wounded veteran heroes.

The Support Our Military Caregivers Act would streamline the process, allowing the Department of Veterans Affairs to contract with a third party to reduce the claims backlog.

Rather than leave care to strangers, some family members choose to quit their job and make other significant life changes to care for their loved ones. We need to do more to support them.

More and more of our veterans are returning from war with battle scars or invisible wounds of war. I often meet with Iowa veterans who have been wounded while serving our country. We have all met with them. These brave servicemembers deserve the best care and assistance we can give.

I am proud to support this bill to support our wounded veterans and their dedicated caregivers. I urge my colleagues to join me in passing this bipartisan, important bill.

I want to thank my colleague, Ms. STEFANIK, for her bipartisan leadership on this bill.

Mr. MILLER of Florida. Mr. Speaker, I have no further speakers at this time. So I would urge my colleagues to support this piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WESTERMAN). The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 3989, 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 improve the process for determining the eligibility

of caregivers of veterans to certain benefits administered by the Secretary of Veterans Affairs, and for other purposes."

A motion to reconsider was laid on the table.

#### IMPROVING TRANSITION PROGRAMS FOR ALL VETERANS ACT

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5229) to direct the Secretary of Veterans Affairs to carry out a study to evaluate the effectiveness of programs, especially in regards to women veterans and minority veterans, in transitioning to civilian life, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5229

*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 "Improving Transition Programs for All Veterans Act".

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) The rate of unemployment for women veterans is higher than the rate for male veterans. In 2015, the unemployment rate for women veterans remained relatively unchanged at 5.4 percent, while the rate for male veterans declined to 4.5 percent.

(2) Women veterans, on average, earn less than male veterans. In 2013, the median income for women veterans was \$35,264, while the median income for male veterans was \$41,310.

(3) Women veterans and veterans with disabilities are more likely to become homeless.

(4) Service-connected disabled veterans with relatively high disability ratings have a higher unemployment rate than those with relatively low disability ratings. In 2015, the unemployment rate for veterans with a service-connected disability rating of 60 percent or higher was 9.6 percent, much higher than the 4.0 percent rate for veterans with a service-connected disability rating of 30 percent or lower.

(5) In 2013, American Indian and Alaska Native veterans had the lowest median personal incomes of any group of minority veterans.

(6) In 2013, American Indian and Alaska Native veterans were less likely to have finished an advanced degree than other veterans.

(7) American Indian and Alaska Native veterans were more likely to have a service-connected disability rating compared to all other veterans. In 2013, the rate of American Indian and Alaska Native veterans with a service-connected disability rating was about 26 percent compared to 18.2 percent for all other veterans.

(8) There is a lack of data on, and an understanding of, the challenges and needs of veterans who are residents of a territory of the United States and veterans who are part of the indigenous population of a territory of the United States.

#### SEC. 3. STUDY ON THE EFFECTIVENESS OF VETERANS TRANSITION EFFORTS.

(a) STUDY.—The Secretary of Veterans Affairs, in coordination with the Secretaries of Labor and Defense, shall carry out a study to evaluate programs to assist veterans of the Armed Forces in their transition to civilian life. Such study shall be designed to determine the effectiveness of current programs,