

114TH CONGRESS  
1ST SESSION

# S. 1203

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 16, 2015

Referred to the Committee on Veterans' Affairs, and in addition to the Committees on Armed Services, Education and the Workforce, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## AN ACT

To amend title 38, United States Code, to improve the furnishing of health care to veterans by the Department of Veterans Affairs, to improve the processing by the Department of claims for disability compensation, and for other purposes.

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

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the  
 3 “21st Century Veterans Benefits Delivery and Other Im-  
 4 provements Act”.

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

Sec. 1. Short title; table of contents.

**TITLE I—HEALTH CARE MATTERS**

**Subtitle A—Expansion and Improvement of Health Care Benefits**

Sec. 101. Improved access to appropriate immunizations for veterans.

Sec. 102. Expansion of provision of chiropractic care and services to veterans.

**Subtitle B—Health Care Administration**

Sec. 111. Expansion of availability of prosthetic and orthotic care for veterans.

Sec. 112. Reports on public access to Department of Veterans Affairs research.

Sec. 113. Revival of Intermediate Care Technician Pilot Program of Department of Veterans Affairs.

Sec. 114. Transfer of health care provider credentialing data from Secretary of Defense to Secretary of Veterans Affairs.

**Subtitle C—Improvement of Medical Workforce**

Sec. 121. Inclusion of mental health professionals in education and training program for health personnel of the Department of Veterans Affairs.

Sec. 122. Expansion of qualifications for licensed mental health counselors of the Department of Veterans Affairs to include doctoral degrees.

Sec. 123. Report on medical workforce of the Department of Veterans Affairs.

**TITLE II—COMPENSATION AND OTHER BENEFITS MATTERS**

**Subtitle A—Benefits Claims Submission**

Sec. 201. Participation of veterans service organizations in Transition Assistance Program.

Sec. 202. Requirement that Secretary of Veterans Affairs publish the average time required to adjudicate timely and untimely appeals.

Sec. 203. Determination of manner of appearance for hearings before Board of Veterans’ Appeals.

**Subtitle B—Practices of Regional Offices Relating to Benefits Claims**

Sec. 211. Comptroller General review of claims processing performance of regional offices of Veterans Benefits Administration.

Sec. 212. Inclusion in annual budget submission of information on capacity of Veterans Benefits Administration to process benefits claims.

- Sec. 213. Report on staffing levels at regional offices of Department of Veterans Affairs after transition to National Work Queue.
- Sec. 214. Annual report on progress in implementing Veterans Benefits Management System.
- Sec. 215. Report on plans of Secretary of Veterans Affairs to reduce inventory of non-rating workload.
- Sec. 216. Sense of Congress on increased transparency relating to claims for benefits and appeals of decisions relating to benefits in Monday Morning Workload Report.

#### Subtitle C—Other Benefits Matters

- Sec. 221. Modification of pilot program for use of contract physicians for disability examinations.
- Sec. 222. Development of procedures to increase cooperation with National Guard Bureau.
- Sec. 223. Review of determination of certain service in Philippines during World War II.
- Sec. 224. Sense of Congress on submittal of information relating to claims for disabilities incurred or aggravated by military sexual trauma.

#### TITLE III—EDUCATION MATTERS

- Sec. 301. Retention of entitlement to educational assistance during certain additional periods of active duty.
- Sec. 302. Reports on progress of students receiving Post-9/11 Educational Assistance.
- Sec. 303. Secretary of Defense report on level of education attained by those who transfer entitlement to Post-9/11 educational assistance.
- Sec. 304. Reports on educational levels attained by certain members of the Armed Forces at time of separation from the Armed Forces.

#### TITLE IV—EMPLOYMENT AND TRANSITION MATTERS

- Sec. 401. Required coordination between Directors for Veterans' Employment and Training with State departments of labor and veterans affairs.
- Sec. 402. Report on job fairs attended by one-stop career center employees at which such employees encounter veterans.
- Sec. 403. Review of challenges faced by employers seeking to hire veterans and sharing of information among Federal agencies that serve veterans.
- Sec. 404. Review of Transition GPS Program Core Curriculum.
- Sec. 405. Modification of requirement for provision of pre-separation counseling.

#### TITLE V—VETERAN SMALL BUSINESS MATTERS

- Sec. 501. Modification of treatment under contracting goals and preferences of Department of Veterans Affairs for small businesses owned by veterans of small businesses after death of disabled veteran owners.
- Sec. 502. Treatment of businesses after deaths of servicemember-owners for purposes of Department of Veterans Affairs contracting goals and preferences.

#### TITLE VI—BURIAL MATTERS

Sec. 601. Department of Veterans Affairs study on matters relating to burial of unclaimed remains of veterans in national cemeteries.

TITLE VII—OTHER MATTERS

Sec. 701. Honoring as veterans certain persons who performed service in the reserve components of the Armed Forces.

Sec. 702. Report on Laotian military support of Armed Forces of the United States during Vietnam War.

Sec. 703. Restoration of prior reporting fee multipliers.

1                   **TITLE I—HEALTH CARE**  
 2                                   **MATTERS**  
 3   **Subtitle A—Expansion and Im-**  
 4   **provement of Health Care Bene-**  
 5   **fits**

6   **SEC. 101. IMPROVED ACCESS TO APPROPRIATE IMMUNIZA-**  
 7                                   **TIONS FOR VETERANS.**

8           (a) INCLUSION OF RECOMMENDED ADULT IMMUNI-  
 9   ZATIONS AS MEDICAL SERVICES.—

10                   (1) COVERED BENEFIT.—Subparagraph (F) of  
 11                   section 1701(9) of title 38, United States Code, is  
 12                   amended to read as follows:

13                                   “(F) immunizations against infectious dis-  
 14                                   eases, including each immunization on the rec-  
 15                                   ommended adult immunization schedule at the  
 16                                   time such immunization is indicated on that  
 17                                   schedule;”.

18                   (2) RECOMMENDED ADULT IMMUNIZATION  
 19                   SCHEDULE DEFINED.—Section 1701 of such title is  
 20                   amended by adding after paragraph (9) the fol-  
 21                   lowing new paragraph:

1           “(10) The term ‘recommended adult immuniza-  
2           tion schedule’ means the schedule established (and  
3           periodically reviewed and, as appropriate, revised) by  
4           the Advisory Committee on Immunization Practices  
5           established by the Secretary of Health and Human  
6           Services and delegated to the Centers for Disease  
7           Control and Prevention.”.

8           (b) INCLUSION OF RECOMMENDED ADULT IMMUNI-  
9           ZATIONS IN ANNUAL REPORT.—Section 1704(1)(A) of  
10          such title is amended—

11                 (1) in clause (i), by striking “and” at the end;

12                 (2) in clause (ii), by striking the period at the  
13                 end and inserting “; and”; and

14                 (3) by inserting after clause (ii) the following  
15                 new clause:

16                         “(iii) to provide veterans each immu-  
17                         nization on the recommended adult immu-  
18                         nization schedule at the time such immuni-  
19                         zation is indicated on that schedule.”.

20           (c) REPORT TO CONGRESS.—

21                 (1) IN GENERAL.—Not later than two years  
22                 after the date of the enactment of this Act, the Sec-  
23                 retary of Veterans Affairs shall submit to the Com-  
24                 mittee on Veterans’ Affairs of the Senate and the  
25                 Committee on Veterans’ Affairs of the House of

1 Representatives a report on the development and im-  
 2 plementation by the Department of Veterans Affairs  
 3 of quality measures and metrics, including targets  
 4 for compliance, to ensure that veterans receiving  
 5 medical services under chapter 17 of title 38, United  
 6 States Code, receive each immunization on the rec-  
 7 ommended adult immunization schedule at the time  
 8 such immunization is indicated on that schedule.

9 (2) RECOMMENDED ADULT IMMUNIZATION  
 10 SCHEDULE DEFINED.—In this subsection, the term  
 11 “recommended adult immunization schedule” has  
 12 the meaning given that term in section 1701(10) of  
 13 title 38, United States Code, as added by subsection  
 14 (a)(2).

15 **SEC. 102. EXPANSION OF PROVISION OF CHIROPRACTIC**  
 16 **CARE AND SERVICES TO VETERANS.**

17 (a) PROGRAM FOR PROVISION OF CHIROPRACTIC  
 18 CARE AND SERVICES TO VETERANS.—Section 204(c) of  
 19 the Department of Veterans Affairs Health Care Pro-  
 20 grams Enhancement Act of 2001 (Public Law 107–135;  
 21 115 Stat. 2459; 38 U.S.C. 1710 note) is amended—

22 (1) by inserting “(1)” before “The program”;  
 23 and

24 (2) by adding at the end the following new  
 25 paragraph:

1       “(2) The program shall be carried out at not fewer  
2 than two medical centers or clinics in each Veterans Inte-  
3 grated Service Network by not later than two years after  
4 the date of the enactment of the 21st Century Veterans  
5 Benefits Delivery and Other Improvements Act, and at  
6 not fewer than 50 percent of all medical centers in each  
7 Veterans Integrated Service Network by not later than  
8 three years after such date of enactment.”.

9       (b) EXPANDED CHIROPRACTOR SERVICES AVAIL-  
10 ABLE TO VETERANS.—

11           (1) MEDICAL SERVICES.—Paragraph (6) of sec-  
12 tion 1701 of title 38, United States Code, is amend-  
13 ed by adding at the end the following new subpara-  
14 graph:

15                   “(H) Chiropractic services.”.

16           (2) REHABILITATIVE SERVICES.—Paragraph  
17 (8) of such section is amended by inserting “chiro-  
18 practic,” after “counseling,”.

19           (3) PREVENTIVE HEALTH SERVICES.—Para-  
20 graph (9) of such section is amended—

21                   (A) by redesignating subparagraphs (F)  
22 through (K) as subparagraphs (G) through (L),  
23 respectively; and

24                   (B) by inserting after subparagraph (E)  
25 the following new subparagraph (F):

1                   “(F) periodic and preventive chiropractic  
2                   examinations and services;”.

3                   **Subtitle B—Health Care**  
4                   **Administration**

5   **SEC. 111. EXPANSION OF AVAILABILITY OF PROSTHETIC**  
6                   **AND ORTHOTIC CARE FOR VETERANS.**

7                   (a) ESTABLISHMENT OR EXPANSION OF ADVANCED  
8   DEGREE PROGRAMS TO EXPAND AVAILABILITY OF PRO-  
9   VISION OF CARE.—The Secretary of Veterans Affairs shall  
10 work with institutions of higher education to develop part-  
11 nerships for the establishment or expansion of programs  
12 of advanced degrees in prosthetics and orthotics in order  
13 to improve and enhance the availability of high quality  
14 prosthetic and orthotic care for veterans.

15                  (b) REPORT.—Not later than one year after the effec-  
16 tive date specified in subsection (d), the Secretary shall  
17 submit to the Committee on Veterans’ Affairs of the Sen-  
18 ate and the Committee on Veterans’ Affairs of the House  
19 of Representatives a report setting forth a plan for car-  
20 rying out subsection (a). The Secretary shall develop the  
21 plan in consultation with veterans service organizations,  
22 institutions of higher education with accredited degree  
23 programs in prosthetics and orthotics, and representatives  
24 of the prosthetics and orthotics field.

25                  (c) FUNDING.—



1 (1) AUTHORIZATION OF APPROPRIATIONS.—

2 There is hereby authorized to be appropriated for  
3 fiscal year 2017 for the Department of Veterans Af-  
4 fairs, \$5,000,000 to carry out this section.

5 (2) AVAILABILITY.—The amount authorized to  
6 be appropriated by paragraph (1) shall remain avail-  
7 able for expenditure until September 30, 2019.

8 (d) EFFECTIVE DATE.—This section shall take effect  
9 on the date that is one year after the date of the enact-  
10 ment of this Act.

11 **SEC. 112. REPORTS ON PUBLIC ACCESS TO DEPARTMENT**  
12 **OF VETERANS AFFAIRS RESEARCH.**

13 (a) IN GENERAL.—Not later than 180 days after the  
14 date of the enactment of this Act and not later than one  
15 year after the date of the enactment of this Act, the Sec-  
16 retary of Veterans Affairs shall submit to the Committee  
17 on Veterans' Affairs of the Senate and the Committee on  
18 Veterans' Affairs of the House of Representatives a report  
19 on increasing public access to scientific publications and  
20 digital data from research funded by the Department of  
21 Veterans Affairs.

22 (b) CONTENTS.—The report submitted under sub-  
23 section (a) shall include the following:

24 (1) Identification of where on the Internet  
25 website of the Department the public will be able to

1 access results of research funded by the Department  
2 or be referred to other sources to access the results  
3 of research funded by the Department.

4 (2) A description of the progress made by the  
5 Department in meeting public access requirements  
6 set forth in the Federal Register notice entitled  
7 “Policy and Implementation Plan for Public Access  
8 to Scientific Publications and Digital Data from Re-  
9 search Funded by the Department of Veterans Af-  
10 fairs” (80 Fed. Reg. 60751), including the following:

11 (A) Compliance of Department investiga-  
12 tors with requirements relating to ensuring that  
13 research funded by the Department is accessible  
14 by the public.

15 (B) Ensuring data management plans of  
16 the Department include provisions for long-term  
17 preservation of the scientific data resulting  
18 from research funded by the Department.

19 (3) An explanation of the factors used to evalu-  
20 ate the merit of data management plans of research  
21 funded by the Veterans Health Administration.

22 (4) An explanation of the process of the De-  
23 partment in effect that enables stakeholders to peti-  
24 tion a change to the embargo period for a specific  
25 field and the factors considered during such process.

1 **SEC. 113. REVIVAL OF INTERMEDIATE CARE TECHNICIAN**  
2 **PILOT PROGRAM OF DEPARTMENT OF VET-**  
3 **ERANS AFFAIRS.**

4 (a) REVIVAL.—The Secretary of Veterans Affairs  
5 shall revive the Intermediate Care Technician Pilot Pro-  
6 gram of the Department of Veterans Affairs that was car-  
7 ried out by the Secretary between January 2013 and Feb-  
8 ruary 2014.

9 (b) TECHNICIANS.—

10 (1) SELECTION.—The Secretary shall select not  
11 less than 72 intermediate care technicians to partici-  
12 pate in the pilot program.

13 (2) FACILITIES.—

14 (A) IN GENERAL.—Any intermediate care  
15 technician hired pursuant to paragraph (1) may  
16 be assigned to a medical facility of the Depart-  
17 ment as determined by the Secretary for pur-  
18 poses of this section.

19 (B) PRIORITY.—In assigning intermediate  
20 care technicians under subparagraph (A), the  
21 Secretary shall give priority to facilities at  
22 which veterans have the longest wait times for  
23 appointments for the receipt of hospital care or  
24 medical services from the Department, as deter-  
25 mined by the Secretary for purposes of this sec-  
26 tion.

1 (c) TERMINATION.—The Secretary shall carry out  
 2 the pilot program under subsection (a) during the three-  
 3 year period beginning on the effective date specified in  
 4 subsection (e).

5 (d) HOSPITAL CARE AND MEDICAL SERVICES DE-  
 6 FINED.—In this section, the terms “hospital care” and  
 7 “medical services” have the meanings given such terms  
 8 in section 1701 of title 38, United States Code.

9 (e) EFFECTIVE DATE.—This section shall take effect  
 10 on the date that is one year after the date of the enact-  
 11 ment of this Act.

12 **SEC. 114. TRANSFER OF HEALTH CARE PROVIDER**  
 13 **CREDENTIALING DATA FROM SECRETARY OF**  
 14 **DEFENSE TO SECRETARY OF VETERANS AF-**  
 15 **FAIRS.**

16 (a) IN GENERAL.—In a case in which the Secretary  
 17 of Veterans Affairs hires a covered health care provider,  
 18 the Secretary of Defense shall, after receiving a request  
 19 from the Secretary of Veterans Affairs for the  
 20 credentialing data of the Secretary of Defense relating to  
 21 such health care provider, transfer to the Secretary of Vet-  
 22 erans Affairs such credentialing data.

23 (b) COVERED HEALTH CARE PROVIDERS.—For pur-  
 24 poses of this section, a covered provider is a health care  
 25 provider who—

1           (1) is or was employed by the Secretary of De-  
2       fense;

3           (2) provides or provided health care related  
4       services as part of such employment; and

5           (3) was credentialed by the Secretary of De-  
6       fense.

7       (c) POLICIES AND REGULATIONS.—The Secretary of  
8       Veterans Affairs and the Secretary of Defense shall estab-  
9       lish such policies and promulgate such regulations as may  
10      be necessary to carry out this section.

11      (d) CREDENTIALING DEFINED.—In this section, the  
12      term “credentialing” means the systematic process of  
13      screening and evaluating qualifications and other creden-  
14      tials, including licensure, required education, relevant  
15      training and experience, and current competence and  
16      health status.

17      (e) EFFECTIVE DATE.—This section shall take effect  
18      on the date that is one year after the date of the enact-  
19      ment of this Act.

1 **SEC. 115. EXAMINATION AND TREATMENT BY DEPARTMENT**  
2 **OF VETERANS AFFAIRS FOR EMERGENCY**  
3 **MEDICAL CONDITIONS AND WOMEN IN**  
4 **LABOR.**

5 (a) IN GENERAL.—Subchapter VIII of chapter 17 of  
6 title 38, United States Code, is amended by inserting after  
7 section 1784 the following new section:

8 **“§ 1784A. Examination and treatment for emergency**  
9 **medical conditions and women in labor**

10 “(a) IN GENERAL.—In the case of a hospital of the  
11 Department that has an emergency department, if any in-  
12 dividual comes to the hospital or the campus of the hos-  
13 pital and a request is made on behalf of the individual  
14 for examination or treatment for a medical condition, the  
15 hospital must provide for an appropriate medical screen-  
16 ing examination within the capability of the emergency de-  
17 partment, including ancillary services routinely available  
18 to the emergency department, to determine whether or not  
19 an emergency medical condition exists.

20 “(b) NECESSARY STABILIZING TREATMENT FOR  
21 EMERGENCY MEDICAL CONDITIONS AND LABOR.—(1) If  
22 any individual comes to a hospital of the Department that  
23 has an emergency department or the campus of such a  
24 hospital and the hospital determines that the individual  
25 has an emergency medical condition, the hospital must  
26 provide either—

1           “(A) within the staff and facilities available at  
2           the hospital, for such further medical examination  
3           and such treatment as may be required to stabilize  
4           the medical condition; or

5           “(B) for transfer of the individual to another  
6           medical facility in accordance with subsection (c).

7           “(2) A hospital is deemed to meet the requirement  
8           of paragraph (1)(A) with respect to an individual if the  
9           hospital offers the individual the further medical examina-  
10          tion and treatment described in that paragraph and in-  
11          forms the individual (or a person acting on behalf of the  
12          individual) of the risks and benefits to the individual of  
13          such examination and treatment, but the individual (or a  
14          person acting on behalf of the individual) refuses to con-  
15          sent to the examination and treatment. The hospital shall  
16          take all reasonable steps to secure the written informed  
17          consent of the individual (or person) to refuse such exam-  
18          ination and treatment.

19          “(3) A hospital is deemed to meet the requirement  
20          of paragraph (1) with respect to an individual if the hos-  
21          pital offers to transfer the individual to another medical  
22          facility in accordance with subsection (c) and informs the  
23          individual (or a person acting on behalf of the individual)  
24          of the risks and benefits to the individual of such transfer,  
25          but the individual (or a person acting on behalf of the

1 individual) refuses to consent to the transfer. The hospital  
2 shall take all reasonable steps to secure the written in-  
3 formed consent of the individual (or person) to refuse such  
4 transfer.

5 “(c) RESTRICTING TRANSFERS UNTIL INDIVIDUAL  
6 STABILIZED.—(1) If an individual at a hospital of the De-  
7 partment has an emergency medical condition that has not  
8 been stabilized, the hospital may not transfer the indi-  
9 vidual unless—

10 “(A)(i) the individual (or a legally responsible  
11 person acting on behalf of the individual), after  
12 being informed of the obligations of the hospital  
13 under this section and of the risk of transfer, re-  
14 quests, in writing, transfer to another medical facil-  
15 ity;

16 “(ii) a physician of the Department has signed  
17 a certification that, based upon the information  
18 available at the time of transfer, the medical benefits  
19 reasonably expected from the provision of appro-  
20 priate medical treatment at another medical facility  
21 outweigh the increased risks to the individual and,  
22 in the case of labor, to the unborn child from effect-  
23 ing the transfer; or

24 “(iii) if a physician of the Department is not  
25 physically present in the emergency department at



1 the time an individual is transferred, a qualified  
2 medical person (as defined by the Secretary for pur-  
3 poses of this section) has signed a certification de-  
4 scribed in clause (ii) after a physician of the Depart-  
5 ment, in consultation with the person, has made the  
6 determination described in such clause, and subse-  
7 quently countersigns the certification; and

8 “(B) the transfer is an appropriate transfer to  
9 that facility.

10 “(2) A certification described in clause (ii) or (iii) of  
11 paragraph (1)(A) shall include a summary of the risks and  
12 benefits upon which the certification is based.

13 “(3) For purposes of paragraph (1)(B), an appro-  
14 priate transfer to a medical facility is a transfer—

15 “(A) in which the transferring hospital provides  
16 the medical treatment within its capacity that mini-  
17 mizes the risks to the health of the individual and,  
18 in the case of a woman in labor, the health of the  
19 unborn child;

20 “(B) in which the receiving facility—

21 “(i) has available space and qualified per-  
22 sonnel for the treatment of the individual; and

23 “(ii) has agreed to accept transfer of the  
24 individual and to provide appropriate medical  
25 treatment;

1           “(C) in which the transferring hospital sends to  
2 the receiving facility all medical records (or copies  
3 thereof) available at the time of the transfer relating  
4 to the emergency medical condition for which the in-  
5 dividual has presented, including—

6                   “(i) observations of signs or symptoms;

7                   “(ii) preliminary diagnosis;

8                   “(iii) treatment provided;

9                   “(iv) the results of any tests; and

10                   “(v) the informed written consent or cer-  
11 tification (or copy thereof) provided under para-  
12 graph (1)(A);

13           “(D) in which the transfer is effected through  
14 qualified personnel and transportation equipment,  
15 including the use of necessary and medically appro-  
16 priate life support measures during the transfer; and

17           “(E) that meets such other requirements as the  
18 Secretary considers necessary in the interest of the  
19 health and safety of individuals transferred.

20           “(d) DEFINITIONS.—In this section:

21                   “(1) The term ‘campus’ means, with respect to  
22 a hospital of the Department—

23                           “(A) the physical area immediately adja-  
24 cent to the main buildings of the hospital;

1           “(B) other areas and structures that are  
2 not strictly contiguous to the main buildings  
3 but are located not less than 250 yards from  
4 the main buildings; and

5           “(C) any other areas determined by the  
6 Secretary to be part of the campus of the hos-  
7 pital.

8           “(2) The term ‘emergency medical condition’  
9 means—

10           “(A) a medical condition manifesting itself  
11 by acute symptoms of sufficient severity (in-  
12 cluding severe pain) such that the absence of  
13 immediate medical attention could reasonably  
14 be expected to result in—

15           “(i) placing the health of the indi-  
16 vidual (or, with respect to a pregnant  
17 woman, the health of the woman or her  
18 unborn child) in serious jeopardy;

19           “(ii) serious impairment to bodily  
20 functions; or

21           “(iii) serious dysfunction of any bodily  
22 organ or part; or

23           “(B) with respect to a pregnant woman  
24 who is having contractions—

1                   “(i) that there is inadequate time to  
2                   effect a safe transfer to another hospital  
3                   before delivery; or

4                   “(ii) that transfer may pose a threat  
5                   to the health or safety of the woman or the  
6                   unborn child.

7                   “(3)(A) The term ‘to stabilize’ means, with re-  
8                   spect to an emergency medical condition described in  
9                   paragraph (2)(A), to provide such medical treatment  
10                  of the condition as may be necessary to assure, with-  
11                  in reasonable medical probability, that no material  
12                  deterioration of the condition is likely to result from  
13                  or occur during the transfer of the individual from  
14                  a facility, or, with respect to an emergency medical  
15                  condition described in paragraph (2)(B), to deliver  
16                  (including the placenta).

17                  “(B) The term ‘stabilized’ means, with respect  
18                  to an emergency medical condition described in  
19                  paragraph (2)(A), that no material deterioration of  
20                  the condition is likely, within reasonable medical  
21                  probability, to result from or occur during the trans-  
22                  fer of the individual from a facility, or, with respect  
23                  to an emergency medical condition described in  
24                  paragraph (2)(B), that the woman has delivered (in-  
25                  cluding the placenta).

1           “(4) The term ‘transfer’ means the movement  
 2           (including the discharge) of an individual outside the  
 3           facilities of a hospital of the Department at the di-  
 4           rection of any person employed by (or affiliated or  
 5           associated, directly or indirectly, with) the hospital,  
 6           but does not include such a movement of an indi-  
 7           vidual who—

8                   “(A) has been declared dead; or

9                   “(B) leaves the facility without the permis-  
 10                  sion of any such person.”.

11           (b) CLERICAL AMENDMENT.—The table of sections  
 12           at the beginning of chapter 17 of such title is amended  
 13           by inserting after the item relating to section 1784 the  
 14           following new item:

          “Sec. 1784A. Examination and treatment for emergency medical conditions and  
           women in labor.”.

15                   **Subtitle C—Improvement of**  
 16                   **Medical Workforce**

17           **SEC. 121. INCLUSION OF MENTAL HEALTH PROFESSIONALS**  
 18                   **IN EDUCATION AND TRAINING PROGRAM FOR**  
 19                   **HEALTH PERSONNEL OF THE DEPARTMENT**  
 20                   **OF VETERANS AFFAIRS.**

21           (a) IN GENERAL.—In carrying out the education and  
 22           training program required under section 7302(a)(1) of  
 23           title 38, United States Code, the Secretary of Veterans  
 24           Affairs shall include education and training of marriage

1 and family therapists and licensed professional mental  
2 health counselors.

3 (b) EFFECTIVE DATE.—Subsection (a) shall take ef-  
4 fect on the date that is one year after the date of the en-  
5 actment of this Act.

6 **SEC. 122. EXPANSION OF QUALIFICATIONS FOR LICENSED**  
7 **MENTAL HEALTH COUNSELORS OF THE DE-**  
8 **PARTMENT OF VETERANS AFFAIRS TO IN-**  
9 **CLUDE DOCTORAL DEGREES.**

10 Section 7402(b)(11)(A) of title 38, United States  
11 Code, is amended by inserting “or doctoral degree” after  
12 “master’s degree”.

13 **SEC. 123. REPORT ON MEDICAL WORKFORCE OF THE DE-**  
14 **PARTMENT OF VETERANS AFFAIRS.**

15 (a) IN GENERAL.—Not later than 120 days after the  
16 date of the enactment of this Act, the Secretary of Vet-  
17 erans Affairs shall submit to the Committee on Veterans  
18 Affairs of the Senate and the Committee on Veterans Af-  
19 fairs of the House of Representatives a report on the med-  
20 ical workforce of the Department of Veterans Affairs.

21 (b) ELEMENTS.—The report required by subsection  
22 (a) shall include the following:

23 (1) With respect to licensed professional mental  
24 health counselors and marriage and family thera-  
25 pists of the Department—

1 (A) how many such counselors and thera-  
2 pists are currently enrolled in the mental health  
3 professionals trainee program of the Depart-  
4 ment;

5 (B) how many such counselors and thera-  
6 pists are expected to enroll in the mental health  
7 professionals trainee program of the Depart-  
8 ment during the 180-day period beginning on  
9 the date of the submittal of the report;

10 (C) a description of the eligibility criteria  
11 for such counselors and therapists as compared  
12 to other behavioral health professions in the  
13 Department;

14 (D) a description of the objectives, goals,  
15 and timing of the Department with respect to  
16 increasing the representation of such counselors  
17 and therapists in the behavioral health work-  
18 force of the Department; and

19 (E) a description of the actions taken by  
20 the Secretary, in consultation with the Director  
21 of the Office of Personnel Management, to cre-  
22 ate an occupational series for such counselors  
23 and therapists and a timeline for the creation  
24 of such an occupational series.

1           (2) A breakdown of spending by the Depart-  
2           ment in connection with the education debt reduc-  
3           tion program of the Department under subchapter  
4           VII of chapter 76 of title 38, United States Code,  
5           including—

6                   (A) the amount spent by the Department  
7                   in debt reduction payments during the three-  
8                   year period preceding the submittal of the re-  
9                   port disaggregated by the medical profession of  
10                  the individual receiving the payments;

11                  (B) a description of how the Department  
12                  prioritizes such spending by medical profession,  
13                  including an assessment of whether such pri-  
14                  ority reflects the five occupations identified in  
15                  the most recent determination by the Inspector  
16                  General of the Department of Veterans Affairs  
17                  as having the largest staffing shortages in the  
18                  Veterans Health Administration; and

19                  (C) a description of the actions taken by  
20                  the Secretary to increase the effectiveness of  
21                  such spending for purposes of recruitment of  
22                  health care providers to the Department, in-  
23                  cluding efforts to more consistently include eli-  
24                  gibility for the education debt reduction pro-



1           gram in vacancy announcements of positions for  
2           health care providers at the Department.

3           (3) A description of any impediments to the de-  
4           livery by the Department of telemedicine services to  
5           veterans and any actions taken by the Department  
6           to address such impediments, including with respect  
7           to—

8                   (A) restrictions under Federal or State  
9                   laws;

10                   (B) licensing or credentialing issues for  
11                   health care providers, including non-Depart-  
12                   ment health care providers, practicing telemedi-  
13                   cine with a veteran located in a different State;

14                   (C) the effect of limited broadband access  
15                   or limited information technology capabilities on  
16                   the delivery of health care;

17                   (D) the distance a veteran is required to  
18                   travel to access a facility or clinic with telemedi-  
19                   cine capabilities;

20                   (E) the effect on the provision of telemedi-  
21                   cine services to veterans of policies of and lim-  
22                   ited liability protection for certain entities; and

23                   (F) issues relating to reimbursement and  
24                   travel limitations for veterans that affect the

1 participation of non-Department health care  
2 providers in the telemedicine program.

3 (4) An update on the efforts of the Secretary  
4 to offer training opportunities in telemedicine to  
5 medical residents in medical facilities of the Depart-  
6 ment that use telemedicine, consistent with medical  
7 residency program requirements established by the  
8 Accreditation Council for Graduate Medical Edu-  
9 cation, as required in section 108(b) of the Honoring  
10 America's Veterans and Caring for Camp Lejeune  
11 Families Act of 2012 (Public Law 112-154; 38  
12 U.S.C. 7406 note).

13 (5) An assessment of the development and im-  
14 plementation by the Secretary of succession planning  
15 policies to address the prevalence of vacancies in po-  
16 sitions in the Veterans Health Administration of  
17 more than 180 days, including the development of  
18 an enterprise position management system to more  
19 effectively identify, track, and resolve such vacan-  
20 cies.

21 (6) A description of the actions taken by the  
22 Secretary, in consultation with the Director of the  
23 Office of Personnel Management, to address any im-  
24 pediments to the timely appointment and determina-  
25 tion of qualifications for Directors of Veterans Inte-

1       grated Service Networks and Medical Directors of  
2       the Department.

3       **TITLE II—COMPENSATION AND**  
4       **OTHER BENEFITS MATTERS**  
5       **Subtitle A—Benefits Claims**  
6       **Submission**

7       **SEC. 201. PARTICIPATION OF VETERANS SERVICE ORGANI-**  
8                   **ZATIONS IN TRANSITION ASSISTANCE PRO-**  
9                   **GRAM.**

10       (a) SENSE OF CONGRESS.—It is the sense of Con-  
11       gress that the Secretary of Defense, in collaboration with  
12       the Secretary of Labor, the Secretary of Homeland Secu-  
13       rity, and the Secretary of Veterans Affairs, should estab-  
14       lish a process by which a representative of a veterans serv-  
15       ice organization may be present at any portion of the pro-  
16       gram carried out under section 1144 of title 10, United  
17       States Code, relating to the submittal of claims to the Sec-  
18       retary of Veterans Affairs for compensation under chapter  
19       11 or 13 of title 38, United States Code.

20       (b) REPORT.—

21               (1) IN GENERAL.—Not later than 18 months  
22       after the date of the enactment of this Act, the Sec-  
23       retary of Defense shall submit to Congress a report  
24       on participation of veterans service organizations in

1 the program carried out under section 1144 of title  
2 10, United States Code.

3 (2) CONTENTS.—The report required by para-  
4 graph (1) shall include the following:

5 (A) An assessment of the compliance of fa-  
6 cilities of the Department of Defense with the  
7 directives included in the memorandum of the  
8 Secretary of Defense entitled “Installation Ac-  
9 cess and Support Services for Nonprofit Non-  
10 Federal Entities” and dated December 23,  
11 2014.

12 (B) The number of military bases that  
13 have complied with such directives.

14 (C) How many veterans service organiza-  
15 tions have been present at a portion of a pro-  
16 gram as described in subsection (a).

17 (c) VETERANS SERVICE ORGANIZATION DEFINED.—  
18 In this section, the term “veterans service organization”  
19 means any organization recognized by the Secretary for  
20 the representation of veterans under section 5902 of title  
21 38.

1 **SEC. 202. REQUIREMENT THAT SECRETARY OF VETERANS**  
2 **AFFAIRS PUBLISH THE AVERAGE TIME RE-**  
3 **QUIRED TO ADJUDICATE TIMELY AND UN-**  
4 **TIMELY APPEALS.**

5 (a) PUBLICATION REQUIREMENT.—

6 (1) IN GENERAL.—On an ongoing basis, the  
7 Secretary of Veterans Affairs shall make available to  
8 the public the following:

9 (A) The average length of time to adju-  
10 dicate a timely appeal.

11 (B) The average length of time to adju-  
12 dicate an untimely appeal.

13 (2) EFFECTIVE DATE.—Paragraph (1) shall  
14 take effect on the date that is one year after the  
15 date of the enactment of this Act and shall apply  
16 until the date that is three years after the date of  
17 the enactment of this Act.

18 (b) REPORT.—

19 (1) IN GENERAL.—Not later than 39 months  
20 after the date of the enactment of this Act, the Sec-  
21 retary shall submit to the Committee on Veterans'  
22 Affairs of the Senate and the Committee on Vet-  
23 erans' Affairs of the House of Representatives a re-  
24 port on whether publication pursuant to subsection  
25 (a)(1) has had an effect on the number of timely ap-  
26 peals filed.

1           (2) CONTENTS.—The report required by para-  
2 graph (1) shall include the following:

3           (A) The number of appeals and timely ap-  
4 peals that were filed during the one-year period  
5 ending on the effective date specified in sub-  
6 section (a)(2).

7           (B) The number of appeals and timely ap-  
8 peals that were filed during the one-year period  
9 ending on the date that is two years after the  
10 effective date specified in subsection (a)(2).

11 (c) DEFINITIONS.—In this section:

12           (1) APPEAL.—The term “appeal” means a no-  
13 tice of disagreement filed pursuant to section  
14 7105(a) of title 38, United States Code, in response  
15 to notice of the result of an initial review or deter-  
16 mination regarding a claim for a benefit under a law  
17 administered by the Secretary of Veterans Affairs.

18           (2) TIMELY.—The term “timely” with respect  
19 to an appeal means that the notice of disagreement  
20 was filed not more than 180 days after the date of  
21 mailing of the notice of the result of the initial re-  
22 view or determination described in paragraph (1).

23           (3) UNTIMELY.—The term “untimely” with re-  
24 spect to an appeal means the notice of disagreement  
25 was filed more than 180 days after the date of mail-

1 ing of the notice of the result of the initial review  
2 or determination described in paragraph (1).

3 **SEC. 203. DETERMINATION OF MANNER OF APPEARANCE**  
4 **FOR HEARINGS BEFORE BOARD OF VET-**  
5 **ERANS' APPEALS.**

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

8 (1) by striking subsection (e);

9 (2) by redesignating subsections (d) and (f) as  
10 subsections (f) and (g), respectively;

11 (3) by inserting after subsection (c) the fol-  
12 lowing new subsections (d) and (e):

13 “(d)(1) Subject to paragraph (2), a hearing before  
14 the Board shall be conducted, as the Board considers ap-  
15 propriate—

16 “(A) in person; or

17 “(B) through picture and voice transmission, by  
18 electronic or other means, in such manner that the  
19 appellant is not present in the same location as the  
20 member or members of the Board during the hear-  
21 ing.

22 “(2) Upon request by an appellant, a hearing before  
23 the Board shall be conducted, as the appellant considers  
24 appropriate—

25 “(A) in person; or

1           “(B) through picture and voice transmission as  
2           described in paragraph (1)(B).

3           “(e)(1) In a case in which a hearing before the Board  
4 is to be conducted through picture and voice transmission  
5 as described in subsection (d)(1)(B), the Secretary shall  
6 provide suitable facilities and equipment to the Board or  
7 other components of the Department to enable an appel-  
8 lant located at an appropriate facility within the area  
9 served by a regional office to participate as so described.

10          “(2) Any hearing conducted through picture and  
11 voice transmission as described in subsection (d)(1)(B)  
12 shall be conducted in the same manner as, and shall be  
13 considered the equivalent of, a personal hearing.”; and

14           (4) in subsection (f)(1), as redesignated by  
15 paragraph (2), by striking “An appellant may re-  
16 quest” and all that follows through “office of the  
17 Department” and inserting “In a case in which a  
18 hearing before the Board is to be conducted in per-  
19 son, the hearing shall be held at the principal loca-  
20 tion of the Board or at a facility of the Department  
21 located within the area served by a regional office of  
22 the Department”.

23          (b) CONFORMING AMENDMENT.—Subsection (a)(1)  
24 of such section is amended by striking “in subsection (f)”  
25 and inserting “in subsection (g)”.



1 (c) EFFECTIVE DATE.—The amendment made by  
 2 subsection (a) shall apply with respect to cases received  
 3 by the Board of Veterans' Appeals pursuant to notices of  
 4 disagreement submitted on or after the date of the enact-  
 5 ment of this Act.

6 **Subtitle B—Practices of Regional**  
 7 **Offices Relating to Benefits Claims**

8 **SEC. 211. COMPTROLLER GENERAL REVIEW OF CLAIMS**  
 9 **PROCESSING PERFORMANCE OF REGIONAL**  
 10 **OFFICES OF VETERANS BENEFITS ADMINIS-**  
 11 **TRATION.**

12 (a) REVIEW REQUIRED.—Not later than 15 months  
 13 after the effective date specified in subsection (e), the  
 14 Comptroller General of the United States shall complete  
 15 a review of the regional offices of the Veterans Benefits  
 16 Administration to help the Veterans Benefits Administra-  
 17 tion achieve more consistent performance in the processing  
 18 of claims for disability compensation.

19 (b) ELEMENTS.—The review required by subsection  
 20 (a) shall include the following:

21 (1) An identification of the following:

22 (A) The factors, including management  
 23 practices, that distinguish higher performing re-  
 24 gional offices from other regional offices with  
 25 respect to claims for disability compensation.

1           (B) The best practices employed by higher  
2 performing regional offices that distinguish the  
3 performance of such offices from other regional  
4 offices.

5           (C) Such other management practices or  
6 tools as the Comptroller General determines  
7 could be used to improve the performance of re-  
8 gional offices.

9           (2) An assessment of the effectiveness of com-  
10 munication with respect to the processing of claims  
11 for disability compensation between the regional of-  
12 fices and veterans service organizations and case-  
13 workers employed by Members of Congress.

14           (c) REPORT.—Not later than 15 months after the ef-  
15 fective date specified in subsection (e), the Comptroller  
16 General shall submit to the Committee on Veterans' Af-  
17 fairs of the Senate and the Committee on Veterans' Af-  
18 fairs of the House of Representatives a report on the re-  
19 sults of the review completed under subsection (a).

20           (d) VETERANS SERVICE ORGANIZATION DEFINED.—  
21 In this section, the term “veterans service organization”  
22 means any organization recognized by the Secretary for  
23 the representation of veterans under section 5902 of title  
24 38, United States Code.

1 (e) EFFECTIVE DATE.—This section shall take effect  
2 on the date that is 270 days after the date of the enact-  
3 ment of this Act.

4 **SEC. 212. INCLUSION IN ANNUAL BUDGET SUBMISSION OF**  
5 **INFORMATION ON CAPACITY OF VETERANS**  
6 **BENEFITS ADMINISTRATION TO PROCESS**  
7 **BENEFITS CLAIMS.**

8 (a) IN GENERAL.—Along with the supporting infor-  
9 mation included in the budget submitted to Congress by  
10 the President pursuant to section 1105(a) of title 31,  
11 United States Code, the President shall include informa-  
12 tion on the capacity of the Veterans Benefits Administra-  
13 tion to process claims for benefits under the laws adminis-  
14 tered by the Secretary of Veterans Affairs, including infor-  
15 mation described in subsection (b), during the fiscal year  
16 covered by the budget with which the information is sub-  
17 mitted.

18 (b) INFORMATION DESCRIBED.—The information de-  
19 scribed in this subsection is the following:

20 (1) An estimate of the average number of  
21 claims for benefits under the laws administered by  
22 the Secretary, excluding such claims completed dur-  
23 ing mandatory overtime, that a single full-time  
24 equivalent employee of the Administration can proc-  
25 ess in a year, based on the following:

1 (A) A time and motion study that the Sec-  
2 retary shall conduct on the processing of such  
3 claims.

4 (B) Such other information relating to  
5 such claims as the Secretary considers appro-  
6 priate.

7 (2) A description of the actions the Secretary  
8 will take to improve the processing of such claims.

9 (3) An assessment of the actions identified by  
10 the Secretary under paragraph (2) in the previous  
11 year and an identification of the effects of those ac-  
12 tions.

13 (c) EFFECTIVE DATE.—This section shall apply with  
14 respect to any budget submitted as described in subsection  
15 (a) with respect to any fiscal year after fiscal year 2017.

16 **SEC. 213. REPORT ON STAFFING LEVELS AT REGIONAL OF-**  
17 **FICES OF DEPARTMENT OF VETERANS AF-**  
18 **FAIRS AFTER TRANSITION TO NATIONAL**  
19 **WORK QUEUE.**

20 Not later than 15 months after the date of the enact-  
21 ment of this Act, the Secretary of Veterans Affairs shall  
22 submit to the Committee on Veterans' Affairs of the Sen-  
23 ate and the Committee on Veterans' Affairs of the House  
24 of Representatives a report on the criteria and procedures  
25 that the Secretary will use to determine appropriate staff-

1 ing levels at the regional offices of the Department once  
2 the Department has transitioned to using the National  
3 Work Queue for the distribution of the claims processing  
4 workload.

5 **SEC. 214. ANNUAL REPORT ON PROGRESS IN IMPLE-**  
6 **MENTING VETERANS BENEFITS MANAGE-**  
7 **MENT SYSTEM.**

8 (a) IN GENERAL.—Not later than each of one year,  
9 two years, and three years after the date of the enactment  
10 of this Act, the Secretary of Veterans Affairs shall submit  
11 to Congress a report on the progress of the Secretary in  
12 implementing the Veterans Benefits Management System.

13 (b) CONTENTS.—Each report required by subsection  
14 (a) shall include the following:

15 (1) An assessment of the current functionality  
16 of the Veterans Benefits Management System.

17 (2) Recommendations submitted to the Sec-  
18 retary by employees of the Department of Veterans  
19 Affairs who are involved in processing claims for  
20 benefits under the laws administered by the Sec-  
21 retary, including veterans service representatives,  
22 rating veterans service representatives, and decision  
23 review officers, for such legislative or administrative  
24 action as the employees consider appropriate to im-  
25 prove the processing of such claims.

1           (3) Recommendations submitted to the Sec-  
2           retary by veterans service organizations who use the  
3           Veterans Benefits Management System for such leg-  
4           islative or administrative action as the veterans serv-  
5           ice organizations consider appropriate to improve  
6           such system.

7           (c) VETERANS SERVICE ORGANIZATION DEFINED.—  
8           In this section, the term “veterans service organization”  
9           means any organization recognized by the Secretary for  
10          the representation of veterans under section 5902 of title  
11          38, United States Code.

12       **SEC. 215. REPORT ON PLANS OF SECRETARY OF VETERANS**  
13                               **AFFAIRS TO REDUCE INVENTORY OF NON-**  
14                               **RATING WORKLOAD.**

15          Not later than 120 days after the date of the enact-  
16          ment of this Act, the Secretary of Veterans Affairs shall  
17          submit to the Committee on Veterans’ Affairs of the Sen-  
18          ate and the Committee on Veterans’ Affairs of the House  
19          of Representatives a report that details the plans of the  
20          Secretary to reduce the inventory of work items listed in  
21          the Monday Morning Workload Report under End Prod-  
22          ucts 130, 137, 173, 290, 400, 600, 607, 690, 930, and  
23          960.

1 **SEC. 216. SENSE OF CONGRESS ON INCREASED TRANS-**  
2 **PARENCY RELATING TO CLAIMS FOR BENE-**  
3 **FITS AND APPEALS OF DECISIONS RELATING**  
4 **TO BENEFITS IN MONDAY MORNING WORK-**  
5 **LOAD REPORT.**

6 It is the sense of Congress that the Secretary of Vet-  
7 erans Affairs should include in each Monday Morning  
8 Workload Report published by the Secretary the following:

9 (1) With respect to each regional office of the  
10 Department of Veterans Affairs, the following:

11 (A) The number of fully developed claims  
12 for benefits under the laws administered by the  
13 Secretary that have been received.

14 (B) The number of claims described in  
15 subparagraph (A) that are pending a decision.

16 (C) The number of claims described in  
17 subparagraph (A) that have been pending a de-  
18 cision for more than 125 days.

19 (2) Enhanced information on appeals of deci-  
20 sions relating to claims for benefits under the laws  
21 administered by the Secretary that are pending, in-  
22 cluding information contained in the reports of the  
23 Department entitled "Appeals Pending" and "Ap-  
24 peals Workload By Station".

1 **Subtitle C—Other Benefits Matters**

2 **SEC. 221. MODIFICATION OF PILOT PROGRAM FOR USE OF**  
 3 **CONTRACT PHYSICIANS FOR DISABILITY EX-**  
 4 **AMINATIONS.**

5 Section 504 of the Veterans' Benefits Improvement  
 6 Act of 1996 (Public Law 104–275; 38 U.S.C. 5101 note)  
 7 is amended—

8 (1) by redesignating subsections (c) and (d) as  
 9 subsections (d) and (e), respectively; and

10 (2) by inserting after subsection (b) the fol-  
 11 lowing new subsection (c):

12 “(c) LICENSURE OF CONTRACT PHYSICIANS.—

13 “(1) IN GENERAL.—Notwithstanding any law  
 14 regarding the licensure of physicians, a physician de-  
 15 scribed in paragraph (2) may conduct an examina-  
 16 tion pursuant to a contract entered into under sub-  
 17 section (a) at any location in any State, the District  
 18 of Columbia, or a Commonwealth, territory, or pos-  
 19 session of the United States, so long as the examina-  
 20 tion is within the scope of the authorized duties  
 21 under such contract.

22 “(2) PHYSICIAN DESCRIBED.—A physician de-  
 23 scribed in this paragraph is a physician who—

24 “(A) has a current license to practice the  
 25 health care profession of the physician; and



1           “(B) is performing authorized duties for  
2           the Department of Veterans Affairs pursuant to  
3           a contract entered into under subsection (a).”.

4 **SEC. 222. DEVELOPMENT OF PROCEDURES TO INCREASE**  
5           **COOPERATION WITH NATIONAL GUARD BU-**  
6           **REAU.**

7           (a) IN GENERAL.—The Secretary of Veterans Affairs  
8           and the Chief of the National Guard Bureau shall jointly  
9           develop and implement procedures, including requirements  
10          relating to timeliness, to improve the timely provision to  
11          the Secretary of such information in the possession of the  
12          Chief as the Secretary requires to process claims sub-  
13          mitted to the Secretary for benefits under the laws admin-  
14          istered by the Secretary.

15          (b) REPORT.—Not later than one year after the im-  
16          plementation of the procedures under subsection (a), the  
17          Secretary and the Chief shall jointly submit to Congress  
18          a report describing—

19                (1) the requests for information relating to  
20                records of members of the National Guard made by  
21                the Secretary to the Chief pursuant to such proce-  
22                dures; and

23                (2) the timeliness of the responses of the Chief  
24                to such requests.

1 **SEC. 223. REVIEW OF DETERMINATION OF CERTAIN SERV-**  
2 **ICE IN PHILIPPINES DURING WORLD WAR II.**

3 (a) **IN GENERAL.**—The Secretary of Veterans Af-  
4 fairs, in consultation with the Secretary of Defense and  
5 such military historians as the Secretary of Defense rec-  
6 ommends, shall review the process used to determine  
7 whether a covered individual served in support of the  
8 Armed Forces of the United States during World War II  
9 in accordance with section 1002(d) of title X of Division  
10 A of the American Recovery and Reinvestment Act of  
11 2009 (Public Law 111–5; 38 U.S.C. 107 note) for pur-  
12 poses of determining whether such covered individual is  
13 eligible for payments described in such section.

14 (b) **COVERED INDIVIDUALS.**—In this section, a cov-  
15 ered individual is any individual who timely submitted a  
16 claim for benefits under subsection (c) of section 1002 of  
17 title X of Division A of the American Recovery and Rein-  
18 vestment Act of 2009 (Public Law 111–5; 38 U.S.C. 107  
19 note) based on service as described in subsection (d) of  
20 that section.

21 (c) **REPORT.**—Not later than 90 days after the date  
22 of the enactment of this Act, the Secretary of Veterans  
23 Affairs shall submit to the Committee on Veterans' Affairs  
24 of the Senate and the Committee on Veterans' Affairs of  
25 the House of Representatives a report detailing any find-  
26 ings, actions taken, or recommendations for legislative ac-

1 tion with respect to the review conducted under subsection  
2 (a).

3 (d) PROHIBITION ON BENEFITS FOR DISQUALIFYING  
4 CONDUCT UNDER NEW PROCESS PURSUANT TO RE-  
5 VIEW.—If pursuant to the review conducted under sub-  
6 section (a) the Secretary of Veterans Affairs determines  
7 to establish a new process for the making of payments  
8 as described in that subsection, the process shall include  
9 mechanisms to ensure that individuals are not treated as  
10 covered individuals for purposes of such payments if such  
11 individuals engaged in any disqualifying conduct during  
12 service described in that subsection, including collabora-  
13 tion with the enemy or criminal conduct.

14 **SEC. 224. SENSE OF CONGRESS ON SUBMITTAL OF INFOR-**  
15 **MATION RELATING TO CLAIMS FOR DISABIL-**  
16 **ITIES INCURRED OR AGGRAVATED BY MILI-**  
17 **TARY SEXUAL TRAUMA.**

18 (a) IN GENERAL.—It is the sense of Congress that  
19 the Secretary of Veterans Affairs should submit to Con-  
20 gress information on the covered claims submitted to the  
21 Secretary during each fiscal year, including the informa-  
22 tion specified in subsection (b).

23 (b) ELEMENTS.—The information specified in this  
24 subsection with respect to each fiscal year is the following:

1           (1) The number of covered claims submitted to  
2           or considered by the Secretary during such fiscal  
3           year.

4           (2) Of the covered claims under paragraph (1),  
5           the number and percentage of such claims—

6                   (A) submitted by each gender;

7                   (B) that were approved, including the  
8                   number and percentage of such approved claims  
9                   submitted by each gender; and

10                  (C) that were denied, including the number  
11                  and percentage of such denied claims submitted  
12                  by each gender.

13           (3) Of the covered claims under paragraph (1)  
14           that were approved, the number and percentage, list-  
15           ed by each gender, of claims assigned to each rating  
16           percentage of disability.

17           (4) Of the covered claims under paragraph (1)  
18           that were denied—

19                   (A) the three most common reasons given  
20                   by the Secretary under section 5104(b)(1) of  
21                   title 38, United States Code, for such denials;  
22                   and

23                   (B) the number of denials that were based  
24                   on the failure of a veteran to report for a med-  
25                   ical examination.

1           (5) Of the covered claims under paragraph (1)  
2           that were resubmitted to the Secretary after denial  
3           in a previous adjudication—

4                   (A) the number of such claims submitted  
5                   to or considered by the Secretary during such  
6                   fiscal year;

7                   (B) the number and percentage of such  
8                   claims—

9                           (i) submitted by each gender;

10                           (ii) that were approved, including the  
11                           number and percentage of such approved  
12                           claims submitted by each gender; and

13                           (iii) that were denied, including the  
14                           number and percentage of such denied  
15                           claims submitted by each gender;

16                   (C) the number and percentage, listed by  
17                   each gender, of claims assigned to each rating  
18                   percentage of disability; and

19                   (D) of such claims that were again de-  
20                   nied—

21                           (i) the three most common reasons  
22                           given by the Secretary under section  
23                           5104(b)(1) of such title for such denials;  
24                           and

1                   (ii) the number of denials that were  
2                   based on the failure of a veteran to report  
3                   for a medical examination.

4                   (6) The number of covered claims that, as of  
5                   the end of such fiscal year, are pending and, sepa-  
6                   rately, the number of such claims on appeal.

7                   (7) The average number of days that covered  
8                   claims take to complete beginning on the date on  
9                   which the claim is submitted.

10                  (c) DEFINITIONS.—In this section:

11                   (1) COVERED CLAIMS.—The term “covered  
12                   claims” means claims for disability compensation  
13                   submitted to the Secretary based on post-traumatic  
14                   stress disorder alleged to have been incurred or ag-  
15                   gravated by military sexual trauma.

16                   (2) MILITARY SEXUAL TRAUMA.—The term  
17                   “military sexual trauma” shall have the meaning  
18                   specified by the Secretary for purposes of this sec-  
19                   tion and shall include “sexual harassment” (as so  
20                   specified).

1 **TITLE III—EDUCATION MATTERS**

2 **SEC. 301. RETENTION OF ENTITLEMENT TO EDUCATIONAL**  
3 **ASSISTANCE DURING CERTAIN ADDITIONAL**  
4 **PERIODS OF ACTIVE DUTY.**

5 (a) **EDUCATIONAL ASSISTANCE ALLOWANCE.**—Sec-  
6 tion 16131(c)(3)(B)(i) of title 10, United States Code, is  
7 amended by striking “or 12304” and inserting “12304,  
8 12304a, or 12304b”.

9 (b) **EXPIRATION DATE.**—Section 16133(b)(4) of  
10 such title is amended by striking “or 12304” and inserting  
11 “12304, 12304a, or 12304b”.

12 **SEC. 302. REPORTS ON PROGRESS OF STUDENTS RECEIV-**  
13 **ING POST-9/11 EDUCATIONAL ASSISTANCE.**

14 (a) **IN GENERAL.**—Chapter 33 of title 38, United  
15 States Code, is amended—

16 (1) in subsection 3325(c)—

17 (A) in paragraph (2), by striking “and”  
18 after the semicolon;

19 (B) by redesignating paragraph (3) as  
20 paragraph (4); and

21 (C) by inserting after paragraph (2) the  
22 following new paragraph (3):

23 “(3) the information received by the Secretary  
24 under section 3326 of this title; and”;

1           (2) by adding at the end the following new sec-  
2           tion:

3   **“§ 3326. Report on student progress**

4           “As a condition on approval under chapter 36 of this  
5 title of a course offered by an educational institution (as  
6 defined in section 3452 of this title), each year, each edu-  
7 cational institution (as so defined) that received a payment  
8 in that year on behalf of an individual entitled to edu-  
9 cational assistance under this chapter shall submit to the  
10 Secretary such information regarding the academic  
11 progress of the individual as the Secretary may require.”.

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

“3326. Report on student progress.”.

15           (c) EFFECTIVE DATE.—The amendments made by  
16 this section shall take effect on the date that is one year  
17 after the date of the enactment of this Act.

18   **SEC. 303. SECRETARY OF DEFENSE REPORT ON LEVEL OF**  
19                           **EDUCATION ATTAINED BY THOSE WHO**  
20                           **TRANSFER ENTITLEMENT TO POST-9/11 EDU-**  
21                           **CATIONAL ASSISTANCE.**

22           (a) IN GENERAL.—Section 3325(b)(1) of title 38,  
23 United States Code, is amended—

24                   (1) in subparagraph (B), by striking “and”  
25                   after the semicolon; and



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

3           “(D) indicating the highest level of edu-  
4 cation attained by each individual who transfers  
5 a portion of the individual’s entitlement to edu-  
6 cational assistance under section 3319 of this  
7 title; and”.

8           (b) **EFFECTIVE DATE.**—The amendments made by  
9 subsection (a) shall take effect on the date that is one  
10 year after the date of the enactment of this Act.

11 **SEC. 304. REPORTS ON EDUCATIONAL LEVELS ATTAINED**  
12 **BY CERTAIN MEMBERS OF THE ARMED**  
13 **FORCES AT TIME OF SEPARATION FROM THE**  
14 **ARMED FORCES.**

15           (a) **ANNUAL REPORTS REQUIRED.**—Each Secretary  
16 concerned shall submit to Congress each year a report on  
17 the educational levels attained by members of the Armed  
18 Forces described in subsection (b) under the jurisdiction  
19 of such Secretary who separated from the Armed Forces  
20 during the preceding year.

21           (b) **COVERED MEMBERS.**—The members of the  
22 Armed Forces described in this subsection are members  
23 of the Armed Forces who transferred unused education  
24 benefits to family members pursuant to section 3319 of

1 title 38, United States Code, while serving as members  
2 of the Armed Forces.

3 (c) SECRETARY CONCERNED DEFINED.—In this sec-  
4 tion, the term “Secretary concerned” has the meaning  
5 given that term in section 101 of title 38, United States  
6 Code.

7 (d) EFFECTIVE DATE.—This section shall take effect  
8 on the date that is one year after the date of the enact-  
9 ment of this Act.

## 10 **TITLE IV—EMPLOYMENT AND** 11 **TRANSITION MATTERS**

### 12 **SEC. 401. REQUIRED COORDINATION BETWEEN DIRECTORS** 13 **FOR VETERANS’ EMPLOYMENT AND TRAIN-** 14 **ING WITH STATE DEPARTMENTS OF LABOR** 15 **AND VETERANS AFFAIRS.**

16 (a) IN GENERAL.—Section 4103 of title 38, United  
17 States Code, is amended by adding at the end the fol-  
18 lowing new subsection:

19 “(c) COORDINATION WITH STATE DEPARTMENTS OF  
20 LABOR AND VETERANS AFFAIRS.—Each Director for Vet-  
21 erans’ Employment and Training for a State shall coordi-  
22 nate the Director’s activities under this chapter with the  
23 State department of labor and the State department of  
24 veterans affairs.”.

1 (b) EFFECTIVE DATE.—The amendment made by  
2 subsection (a) shall take effect on the date that is one  
3 year after the date of the enactment of this Act.

4 **SEC. 402. REPORT ON JOB FAIRS ATTENDED BY ONE-STOP**  
5 **CAREER CENTER EMPLOYEES AT WHICH**  
6 **SUCH EMPLOYEES ENCOUNTER VETERANS.**

7 (a) IN GENERAL.—Section 136(d)(1) of the Work-  
8 force Investment Act of 1998 (29 U.S.C. 2871(d)(1)) is  
9 amended by adding at the end the following new sentence:  
10 “The report also shall include information, for the year  
11 preceding the year the report is submitted, on the number  
12 of job fairs attended by One-Stop Career Center employees  
13 at which the employees had contact with a veteran, and  
14 the number of veterans contacted at each such job fair.”.

15 (b) EFFECTIVE DATE.—The amendment made by  
16 subsection (a) shall take effect on the date that is one  
17 year after the date of the enactment of this Act.

18 **SEC. 403. REVIEW OF CHALLENGES FACED BY EMPLOYERS**  
19 **SEEKING TO HIRE VETERANS AND SHARING**  
20 **OF INFORMATION AMONG FEDERAL AGEN-**  
21 **CIES THAT SERVE VETERANS.**

22 (a) REVIEW.—

23 (1) IN GENERAL.—The Secretary of Labor, in  
24 consultation with the Secretary of Defense and the

1 Secretary of Veterans Affairs, shall conduct a review  
2 of—

3 (A) the challenges faced by employers  
4 seeking to hire veterans; and

5 (B) information sharing among Federal  
6 departments and agencies that serve veterans  
7 and members of the Armed Forces who are sep-  
8 arating from service.

9 (2) MATTERS REVIEWED.—In conducting the  
10 review required by paragraph (1), the Secretary of  
11 Labor shall examine the following:

12 (A) The barriers employers face in gaining  
13 information identifying veterans who are seek-  
14 ing jobs.

15 (B) The extent and quality of information  
16 sharing among Federal departments and agen-  
17 cies that serve veterans and members of the  
18 Armed Forces who are separating from service,  
19 including how the departments and agencies  
20 may more easily connect employers with such  
21 veterans and members.

22 (b) REPORT.—

23 (1) IN GENERAL.—Not later than 120 days  
24 after the effective date specified in subsection (c),  
25 the Secretary of Labor shall submit to the appro-

1        appropriate committees of Congress a report on the review  
2        conducted under subsection (a).

3            (2) CONTENTS.—The report required by para-  
4        graph (1) shall include the following:

5            (A) Recommendations for addressing the  
6        barriers described in subsection (a)(2)(A).

7            (B) Recommendations for improving infor-  
8        mation sharing described in subsection  
9        (a)(2)(B).

10          (3) APPROPRIATE COMMITTEES OF CONGRESS  
11        DEFINED.—In this subsection, the term “appro-  
12        priate committees of Congress” means—

13            (A) the Committee on Armed Services and  
14        the Committee on Veterans’ Affairs of the Sen-  
15        ate; and

16            (B) the Committee on Armed Services and  
17        the Committee on Veterans’ Affairs of the  
18        House of Representatives.

19          (c) EFFECTIVE DATE.—This section shall take effect  
20        on the date that is one year after the date of the enact-  
21        ment of this Act.

22        **SEC. 404. REVIEW OF TRANSITION GPS PROGRAM CORE**  
23            **CURRICULUM.**

24          (a) REVIEW.—

1           (1) IN GENERAL.—The Secretary of Defense, in  
2           consultation with the Secretary of Veterans Affairs  
3           and the Secretary of Labor, shall conduct a review  
4           of the Department of Defense Transition GPS Pro-  
5           gram Core Curriculum in effect on the date of the  
6           enactment of this Act.

7           (2) MATTERS REVIEWED.—The review shall ex-  
8           amine the following:

9                   (A) The Department of Defense Transition  
10                  GPS Program Core Curriculum in effect on the  
11                  date of the enactment of this Act.

12                  (B) The roles and responsibilities of each  
13                  Federal department participating in the Transi-  
14                  tion GPS Program and whether the various  
15                  roles and responsibilities of the Federal depart-  
16                  ments are adequately aligned with one another.

17                  (C) The allotment of time spent on issues  
18                  under the jurisdiction of each Federal depart-  
19                  ment participating in the Transition GPS Pro-  
20                  gram and whether the allotment is adequate to  
21                  provide members of the Armed Forces with all  
22                  the information the members need regarding  
23                  important benefits that can assist members in  
24                  transitioning out of military service.

1           (D) Whether any of the information in the  
2 three optional tracks in the Transition GPS  
3 Program Core Curriculum should be addressed  
4 more appropriately in mandatory tracks rather  
5 than optional tracks.

6           (E) The benefits of and obstacles to estab-  
7 lishing—

8                 (i) a standard implementation plan of  
9 long-term outcome measures for the Tran-  
10 sition GPS Program; and

11                 (ii) a comprehensive system of metrics  
12 for such measures.

13 (b) REPORT.—

14           (1) IN GENERAL.—Not later than 120 days  
15 after the date of the enactment of this Act, the Sec-  
16 retary of Defense, in consultation with the Secretary  
17 of Veterans Affairs and the Secretary of Labor, shall  
18 submit to the appropriate committees of Congress a  
19 report on the review conducted under subsection (a).

20           (2) CONTENTS.—The report required by para-  
21 graph (1) shall include the following:

22                 (A) Recommendations for improving the  
23 Department of Defense Transition GPS Pro-  
24 gram Core Curriculum in order to more accu-  
25 rately address the needs of members of the

1 Armed Forces transitioning out of military  
2 service.

3 (B) Recommendations for improving the  
4 roles and responsibilities described in subsection  
5 (a)(2)(B).

6 (C) Recommendations for improving the  
7 allotment of time described in subsection  
8 (a)(2)(C).

9 (D) Such recommendations as the Sec-  
10 retary of Defense may have regarding the op-  
11 tional and mandatory tracks in the Transition  
12 GPS Program Core Curriculum.

13 (E) Such recommendations as the Sec-  
14 retary of Defense may have with respect to the  
15 outcome measures and metrics described in sub-  
16 section (a)(2)(E).

17 (F) Identification of such other areas of  
18 concern as the Secretary of Defense may have  
19 with respect to the Transition GPS Program  
20 and such recommendations for legislative or ad-  
21 ministrative action as the Secretary may have  
22 to address such concerns.

23 (3) APPROPRIATE COMMITTEES OF CONGRESS  
24 DEFINED.—In this subsection, the term “appro-  
25 priate committees of Congress” means—



1 (A) the Committee on Armed Services and  
2 the Committee on Veterans' Affairs of the Sen-  
3 ate; and

4 (B) the Committee on Armed Services and  
5 the Committee on Veterans' Affairs of the  
6 House of Representatives.

7 **SEC. 405. MODIFICATION OF REQUIREMENT FOR PROVI-**  
8 **SION OF PRESEPARATION COUNSELING.**

9 (a) CLARIFICATION OF REQUIREMENT FOR 180 CON-  
10 TINUOUS DAYS OF ACTIVE DUTY SERVICE.—Subpara-  
11 graph (A) of section 1142(a)(4) of title 10, United States  
12 Code, is amended by inserting “continuous” before “180  
13 days”.

14 (b) EXCLUSION OF TRAINING FROM PERIODS OF AC-  
15 TIVE DUTY.—Such section is further amended by adding  
16 at the end the following new subparagraph:

17 “(C) For purposes of subparagraph (A), the term ‘ac-  
18 tive duty’ does not include full-time training duty, annual  
19 training duty, and attendance, while in the active military  
20 service, at a school designated as a service school by law  
21 or by the Secretary concerned.”.

1           **TITLE V—VETERAN SMALL**  
2                   **BUSINESS MATTERS**

3 **SEC. 501. MODIFICATION OF TREATMENT UNDER CON-**  
4                   **TRACTING GOALS AND PREFERENCES OF DE-**  
5                   **PARTMENT OF VETERANS AFFAIRS FOR**  
6                   **SMALL BUSINESSES OWNED BY VETERANS OF**  
7                   **SMALL BUSINESSES AFTER DEATH OF DIS-**  
8                   **ABLED VETERAN OWNERS.**

9           (a) **IN GENERAL.**—Section 8127(h) of title 38,  
10 United States Code, is amended—

11                   (1) in paragraph (3), by striking “rated as”  
12                   and all that follows through “disability.” and insert-  
13                   ing a period; and

14                   (2) in paragraph (2), by amending subpara-  
15                   graph (C) to read as follows:

16                           “(C) The date that—

17                                   “(i) in the case of a surviving spouse of a  
18                                   veteran with a service-connected disability rated  
19                                   as 100 percent disabling or who dies as a result  
20                                   of a service-connected disability, is 10 years  
21                                   after the date of the veteran’s death; or

22                                   “(ii) in the case of a surviving spouse of a  
23                                   veteran with a service-connected disability rated  
24                                   as less than 100 percent disabling who does not  
25                                   die as a result of a service-connected disability,

1 is three years after the date of the veteran's  
2 death.”.

3 (b) **EFFECTIVE DATE.**—The amendments made by  
4 subsection (a) shall take effect on the date that is 180  
5 days after the date of the enactment of this Act and shall  
6 apply with respect to applications received pursuant to  
7 section 8127(f)(2) of title 38, United States Code, that  
8 are verified on or after such date.

9 **SEC. 502. TREATMENT OF BUSINESSES AFTER DEATHS OF**  
10 **SERVICEMEMBER-OWNERS FOR PURPOSES**  
11 **OF DEPARTMENT OF VETERANS AFFAIRS**  
12 **CONTRACTING GOALS AND PREFERENCES.**

13 (a) **IN GENERAL.**—Section 8127 of title 38, United  
14 States Code, is amended—

15 (1) by redesignating subsections (i) through (l)  
16 as subsections (j) through (m), respectively; and

17 (2) by inserting after subsection (h) the fol-  
18 lowing new subsection (i):

19 “(i) **TREATMENT OF BUSINESSES AFTER DEATH OF**  
20 **SERVICEMEMBER-OWNER.**—(1) If a member of the Armed  
21 Forces owns at least 51 percent of a small business con-  
22 cern and such member is killed in line of duty in the active  
23 military, naval, or air service, the surviving spouse or de-  
24 pendent child of such member who acquires such owner-  
25 ship rights in such small business concern shall, for the

1 period described in paragraph (2), be treated as if the sur-  
2 viving spouse or dependent child were a veteran with a  
3 service-connected disability for purposes of determining  
4 the status of the small business concern as a small busi-  
5 ness concern owned and controlled by veterans for pur-  
6 poses of contracting goals and preferences under this sec-  
7 tion.

8 “(2) The period referred to in paragraph (1) is the  
9 period beginning on the date on which the member of the  
10 Armed Forces dies and ending on the date as follows:

11 “(A) In the case of a surviving spouse, the ear-  
12 liest of the following dates:

13 “(i) The date on which the surviving  
14 spouse remarries.

15 “(ii) The date on which the surviving  
16 spouse relinquishes an ownership interest in the  
17 small business concern and no longer owns at  
18 least 51 percent of such small business concern.

19 “(iii) The date that is ten years after the  
20 date of the member’s death.

21 “(B) In the case of a dependent child, the ear-  
22 liest of the following dates:

23 “(i) The date on which the surviving de-  
24 pendent child relinquishes an ownership interest  
25 in the small business concern and no longer

1 owns at least 51 percent of such small business  
2 concern.

3 “(ii) The date that is ten years after the  
4 date of the member’s death.”.

5 (b) EFFECTIVE DATE.—Subsection (i) of section  
6 8127 of such title, as added by subsection (a), shall take  
7 effect on the date of the enactment of this Act and shall  
8 apply with respect to the deaths of members of the Armed  
9 Forces occurring on or after such date.

## 10 **TITLE VI—BURIAL MATTERS**

### 11 **SEC. 601. DEPARTMENT OF VETERANS AFFAIRS STUDY ON** 12 **MATTERS RELATING TO BURIAL OF UN-** 13 **CLAIMED REMAINS OF VETERANS IN NA-** 14 **TIONAL CEMETERIES.**

15 (a) STUDY AND REPORT REQUIRED.—Not later than  
16 one year after the effective date specified in subsection (d),  
17 the Secretary of Veterans Affairs shall—

18 (1) complete a study on matters relating to the  
19 interring of unclaimed remains of veterans in na-  
20 tional cemeteries under the control of the National  
21 Cemetery Administration; and

22 (2) submit to Congress a report on the findings  
23 of the Secretary with respect to the study required  
24 under paragraph (1).

1 (b) MATTERS STUDIED.—The matters studied under  
2 subsection (a)(1) shall include the following:

3 (1) Determining the scope of issues relating to  
4 unclaimed remains of veterans, including an esti-  
5 mate of the number of unclaimed remains of vet-  
6 erans.

7 (2) Assessing the effectiveness of the proce-  
8 dures of the Department of Veterans Affairs for  
9 working with persons or entities having custody of  
10 unclaimed remains to facilitate interment of un-  
11 claimed remains of veterans in national cemeteries  
12 under the control of the National Cemetery Adminis-  
13 tration.

14 (3) Assessing State and local laws that affect  
15 the ability of the Secretary to inter unclaimed re-  
16 mains of veterans in national cemeteries under the  
17 control of the National Cemetery Administration.

18 (4) Developing recommendations for such legis-  
19 lative or administrative action as the Secretary con-  
20 siders appropriate.

21 (c) METHODOLOGY.—

22 (1) NUMBER OF UNCLAIMED REMAINS.—In es-  
23 timating the number of unclaimed remains of vet-  
24 erans under subsection (b)(1), the Secretary may re-  
25 view such subset of applicable entities as the Sec-

1       retary considers appropriate, including a subset of  
 2       funeral homes and coroner offices that possess un-  
 3       claimed veterans remains.

4               (2) ASSESSMENT OF STATE AND LOCAL  
 5       LAWS.—In assessing State and local laws under sub-  
 6       section (b)(3), the Secretary may assess such sample  
 7       of applicable State and local laws as the Secretary  
 8       considers appropriate in lieu of reviewing all applica-  
 9       ble State and local laws.

10       (d) EFFECTIVE DATE.—This section shall take effect  
 11       on the date that is one year after the date of the enact-  
 12       ment of this Act.

## 13       **TITLE VII—OTHER MATTERS**

### 14       **SEC. 701. HONORING AS VETERANS CERTAIN PERSONS** 15               **WHO PERFORMED SERVICE IN THE RESERVE** 16               **COMPONENTS OF THE ARMED FORCES.**

17       Any person who is entitled under chapter 1223 of  
 18       title 10, United States Code, to retired pay for nonregular  
 19       service or, but for age, would be entitled under such chap-  
 20       ter to retired pay for nonregular service shall be honored  
 21       as a veteran but shall not be entitled to any benefit by  
 22       reason of this honor.

1 **SEC. 702. REPORT ON LAOTIAN MILITARY SUPPORT OF**  
2 **ARMED FORCES OF THE UNITED STATES**  
3 **DURING VIETNAM WAR.**

4 (a) IN GENERAL.—Not later than one year after the  
5 effective date specified in subsection (c), the Secretary of  
6 Veterans Affairs, in consultation with the Secretary of De-  
7 fense and such agencies and individuals as the Secretary  
8 of Veterans Affairs considers appropriate, shall submit to  
9 the appropriate committees of Congress a report on—

10 (1) the extent to which Laotian military forces  
11 provided combat support to the Armed Forces of the  
12 United States between February 28, 1961, and May  
13 15, 1975;

14 (2) whether the current classification by the Ci-  
15 vilian/Military Service Review Board of the Depart-  
16 ment of Defense of service by individuals of Hmong  
17 ethnicity is appropriate; and

18 (3) such recommendations as the Secretary of  
19 Veterans Affairs may have for legislative action.

20 (b) APPROPRIATE COMMITTEES OF CONGRESS.—In  
21 this section, the term “appropriate committees of Con-  
22 gress” means—

23 (1) the Committee on Armed Services and the  
24 Committee on Veterans’ Affairs of the Senate; and



1 (2) the Committee on Armed Services and the  
2 Committee on Veterans’ Affairs of the House of  
3 Representatives.

4 (c) EFFECTIVE DATE.—This section shall take effect  
5 on the date that is one year after the date of the enact-  
6 ment of this Act.

7 **SEC. 703. RESTORATION OF PRIOR REPORTING FEE MULTI-**  
8 **PLIERS.**

9 (a) IN GENERAL.—During the 10-year period begin-  
10 ning on September 26, 2015, the second sentence of sub-  
11 section (c) of section 3684 of title 38, United States Code,  
12 shall be applied—

13 (1) by substituting “\$8” for “\$12”; and

14 (2) by substituting “\$12” for “\$15”.

15 (b) CONFORMING AMENDMENT.—Section 406 of the  
16 Department of Veterans Affairs Expiring Authorities Act  
17 of 2014 (Public Law 113–175; 38 U.S.C. 3684 note), as  
18 amended by section 410 of the Department of Veterans  
19 Affairs Expiring Authorities Act of 2015 (Public Law  
20 114–58), is hereby repealed.

Passed the Senate November 10, 2015.

Attest:

JULIE E. ADAMS,

*Secretary.*