

## HR 3219

Veterans' Benefits Act of 2010

**Congress:** 111 (2009–2011, Ended)

**Chamber:** House

**Policy Area:** Armed Forces and National Security

**Introduced:** Jul 15, 2009

**Current Status:** Became Public Law No: 111-275.

**Latest Action:** Became Public Law No: 111-275. (Oct 13, 2010)

**Law:** 111-275 (Enacted Oct 13, 2010)

**Official Text:** <https://www.congress.gov/bill/111th-congress/house-bill/3219>

### Sponsor

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**Name:** Rep. Filner, Bob [D-CA-51]

**Party:** Democratic • **State:** CA • **Chamber:** House

Cosponsors (29 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Adler, John H. [D-NJ-3]	D · NJ		Jul 15, 2009
Rep. Bilbray, Brian P. [R-CA-50]	R · CA		Jul 15, 2009
Rep. Bilirakis, Gus M. [R-FL-9]	R · FL		Jul 15, 2009
Rep. Boozman, John [R-AR-3]	R · AR		Jul 15, 2009
Rep. Brown, Corrine [D-FL-3]	D · FL		Jul 15, 2009
Rep. Brown, Henry E., Jr. [R-SC-1]	R · SC		Jul 15, 2009
Rep. Buchanan, Vern [R-FL-13]	R · FL		Jul 15, 2009
Rep. Buyer, Steve [R-IN-4]	R · IN		Jul 15, 2009
Rep. Donnelly, Joe [D-IN-2]	D · IN		Jul 15, 2009
Rep. Hall, John J. [D-NY-19]	D · NY		Jul 15, 2009
Rep. Halvorson, Deborah L. [D-IL-11]	D · IL		Jul 15, 2009
Rep. Herseth Sandlin, Stephanie [D-SD-At Large]	D · SD		Jul 15, 2009
Rep. Kirkpatrick, Ann [D-AZ-1]	D · AZ		Jul 15, 2009
Rep. Lamborn, Doug [R-CO-5]	R · CO		Jul 15, 2009
Rep. McNerney, Jerry [D-CA-11]	D · CA		Jul 15, 2009
Rep. Michaud, Michael H. [D-ME-2]	D · ME		Jul 15, 2009
Rep. Miller, Jeff [R-FL-1]	R · FL		Jul 15, 2009
Rep. Mitchell, Harry E. [D-AZ-5]	D · AZ		Jul 15, 2009
Rep. Moran, Jerry [R-KS-1]	R · KS		Jul 15, 2009
Rep. Nye, Glenn C. [D-VA-2]	D · VA		Jul 15, 2009
Rep. Perriello, Thomas S.P. [D-VA-5]	D · VA		Jul 15, 2009
Rep. Rodriguez, Ciro D. [D-TX-23]	D · TX		Jul 15, 2009
Rep. Roe, David P. [R-TN-1]	R · TN		Jul 15, 2009
Rep. Snyder, Vic [D-AR-2]	D · AR		Jul 15, 2009
Rep. Space, Zachary T. [D-OH-18]	D · OH		Jul 15, 2009
Rep. Stearns, Cliff [R-FL-6]	R · FL		Jul 15, 2009
Rep. Teague, Harry [D-NM-2]	D · NM		Jul 15, 2009
Rep. Walz, Timothy J. [D-MN-1]	D · MN		Jul 15, 2009
Rep. Boccieri, John A. [D-OH-16]	D · OH		Jul 20, 2009

Committee Activity

Committee	Chamber	Activity	Date
Veterans' Affairs Committee	House	Reported By	Jul 24, 2009
Veterans' Affairs Committee	Senate	Discharged From	Sep 29, 2010

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
111 HR 2379	Related bill	<b>Jul 9, 2009:</b> Forwarded by Subcommittee to Full Committee by Voice Vote .

**(This measure has not been amended since it was passed by the Senate on September 28, 2010. The summary of that version is repeated here.)**

Veterans' Benefits Act of 2010 - **Title I: Employment, Small Business, and Education Matters** - (Sec. 101) Extends through June 30, 2013, the authority for work-study as part of the veterans' educational assistance program provided through the Department of Veterans Affairs (VA). Permits four new authorized work-study activities.

(Sec. 102) Reauthorizes through 2013 the Veterans' Advisory Committee on Education.

(Sec. 103) Reduces from 3 years to 18 months the authorized period for the National Veterans' Employment and Training Services Institute to complete the training of new disabled veterans' outreach program specialists and local veterans' employment representatives.

(Sec. 104) Veterans Small Business Verification Act - Prohibits the Secretary of Veterans Affairs (Secretary) from including a small business in a VA-maintained database of small businesses owned and controlled by veterans until the Secretary has verified that: (1) the small business is owned and controlled by veterans; and (2) if the small business owner claims to be a service-disabled veteran, that such person is a veteran with a service-connected disability. Authorizes the Secretary, upon a person's application for inclusion in the database, to access the person's personal information to verify information contained in the application. Requires such application and verification procedures to be followed with respect to small businesses currently included in the database but not yet verified.

(Sec. 105) Directs the Secretary of Labor and the Office of Special Counsel (Office) to carry out a three-year demonstration project under which claims against federal agencies brought about under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) are referred to the Office for assistance, including claim investigation and resolution and enforcement of rights. Requires the referral to the Office of related claims under USERRA. Requires the Secretary of Labor and the Office to: (1) jointly establish methods and procedures to facilitate the review of their relative performance during the demonstration project; and (2) jointly report such methods and procedures to the congressional veterans committees and the Comptroller General (CG). Directs the CG to: (1) report to such committees on such methods and procedures; (2) review the relative performance of the Secretary of Labor and the Office under the demonstration project; and (3) after such review, submit a final report to the veterans committees on such performance.

(Sec. 106) Directs the Secretary of Labor to establish a three-year pilot program (to be known as the Veterans Energy-Related Employment Program) to award competitive grants to up to three states to establish and administer grants to energy industry employers that provide training, apprenticeships, and certification classes to veterans employed by an energy employer. Requires annual reports from such Secretary to Congress for the duration of the pilot program. Authorizes appropriations.

(Sec. 107) Requires the Secretary, by June 1, 2011, to include on the VA Internet website a list of organizations that provide scholarships to veterans and their survivors and, for each such organization, a link to their website.

**Title II: Housing and Homelessness Matters** - (Sec. 201) Extends through FY2011 the VA's homeless veterans reintegration program.

(Sec. 202) Directs the Secretary of Labor to make grants to programs and facilities that provide dedicated services for

homeless women veterans and homeless veterans with children. Requires grant funds to be used to provide job training, counseling, placement services, and child care services to expedite the reintegration of such veterans into the labor force. Directs such Secretary to: (1) monitor the expenditure of such funds; and (2) submit biennially to Congress an evaluation of the grant program. Authorizes appropriations.

(Sec. 203) Directs the Secretary to make grants to encourage the development of new assistive technologies for specially adapted housing for disabled veterans. Limits grant amounts to \$200,000 annually per recipient. Requires an annual report from the Secretary to Congress on grants awarded. Provides grant funds and authorizes grant authority from FY2012-FY2016.

(Sec. 204) Waives the fee required of veterans for VA-guaranteed housing loans in the case of veterans who, but for the receipt of active service pay, would be entitled to compensation for a service-connected disability.

**Title III: Servicemembers Civil Relief Act Matters** - (Sec. 301) Amends the Servicemembers Civil Relief Act to prohibit lessors from charging early termination fees with respect to residential, business, agricultural, or motor vehicle leases entered into by servicemembers who subsequently enter military service or receive orders for a permanent change of station or deployment in support of a military operation.

(Sec. 302) Allows a servicemember to terminate a contract for cellular or home telephone service at any time after receiving military orders to deploy for at least 90 days to a location that does not support the contract. Requires the return of any advance payments made by a deploying servicemember under such a contract.

(Sec. 303) Provides for enforcement by the Attorney General with respect to rights provided under the Servicemembers Civil Relief Act. Limits civil penalties to \$55,000 for the first violation and \$110,000 for subsequent violations. Allows aggrieved persons to intervene in a civil action that has already commenced. Provides a private right of action for such enforcement, allowing any appropriate relief, including monetary damages. Provides that any actions so brought shall not preclude or limit any other available remedies under federal or state law, including consequential and punitive damages. Provides misdemeanor penalties against persons who knowingly take certain actions (evictions, foreclosures or seizures of property, etc.) in violation of rights provided under such Act.

**Title IV: Insurance Matters** - (Sec. 401) Increases from \$20,000 to \$30,000, effective as of October 1, 2011, the maximum authorized amount of VA supplemental insurance for totally disabled veterans.

(Sec. 402) Extends, for those separated or released on or after June 15, 2005, the termination of Servicemembers' Group Life Insurance (SGLI) coverage for totally disabled veterans to two years after their separation or release from active duty or active duty for training of at least 30 days.

(Sec. 403) Limits the duration of a dependent's coverage under SGLI to 120 days after the member's separation or release from service or assignment.

(Sec. 404) Allows a person insured under Veterans' Group Life Insurance (VGLI), once every five years, to elect to increase such insurance by \$25,000 if the person is under age 60 and the total amount of VGLI coverage will not exceed \$400,000.

(Sec. 405) Eliminates an authorized reduction in the amount of SGLI or VGLI received as an accelerated death benefit by a terminally-ill insured.

(Sec. 406) Permits the VA to distinguish, in specifying payments for qualifying SGLI traumatic injury losses, between the

severity of a qualifying loss of a dominant hand and a nondominant hand.

(Sec. 407) Increases the maximum loan guarantee amount under the veterans' mortgage life insurance program from \$90,000 to \$150,000 and, after January 12, 2012, to \$200,000.

(Sec. 408) Amends the Veterans' Housing Opportunity and Benefits Improvement Act of 2006 to remove the requirement of service in either Operation Iraqi Freedom or Enduring Freedom as a condition for retroactive benefits under the traumatic injury coverage of SGLI.

**Title V: Burial and Cemetery Matters** - (Sec. 501) Increases from \$300 to \$700 the VA payment for: (1) burial and funeral expenses of a veteran who dies in a VA hospital, nursing home, or domiciliary care facility; and (2) a plot allowance for a veteran eligible for, but not buried in, a national cemetery. Requires the annual adjustment of such amounts (based on increases in the Consumer Price Index). Prohibits any such adjustment for FY2012. Makes such increase effective with respect to deaths occurring on or after October 1, 2011.

(Sec. 502) Corey Shea Act - Authorizes the Secretary to provide VA burial benefits to parents of individuals who died in combat or from a combat-related training injury, are interred in a national cemetery, and have no other eligible survivors. Allows the Secretary to provide such benefit only if there is available gravesite space.

(Sec. 503) Directs the Secretary to report to Congress on the selection of sites in the following areas for establishing new national cemeteries: (1) southern Colorado; (2) Melbourne and Daytona, Florida; (3) Omaha, Nebraska; (4) Buffalo and Rochester, New York; and (5) Tallahassee, Florida. Requires annual progress reports until each new site is established.

**Title VI: Compensation and Pension** - (Sec. 601) Authorizes higher levels of veterans' disability compensation for certain veterans who experience difficulty using prostheses after the loss of hands, arms, or legs and those in need of regular aid and attendance from residuals of traumatic brain injury.

(Sec. 602) Establishes an annual cost-of-living adjustment, based on increases in amounts payable under title II (Old Age, Survivors and Disability Insurance) of the Social Security Act, for the temporary payment of dependency and indemnity compensation (DIC) to a veteran's surviving spouse with one or more children under the age of 18.

(Sec. 603) Requires the payment of DIC to the survivors of former prisoners-of-war (POWs) who died on or before September 30, 1999, on the same basis as survivors of former POWs who die after such date.

(Sec. 604) Excludes monetary payments from a state or municipality as a veterans' benefit due to injury or disease from consideration as income for purposes of pension benefits paid by the Secretary.

(Sec. 605) Requires that, in the case of a veteran who is retired or separated from active duty due to a catastrophic disability, payment of VA disability benefits based on an original claim shall be made on the date the award becomes effective (thereby eliminating certain procedural delays in such payments).

(Sec. 606) Makes limitations to pension payable to certain children of veterans of a period of war the same as those applied to a veteran having neither spouse nor child.

(Sec. 607) Extends through May 31, 2015, the expiration date for the reduction of VA pensions for certain beneficiaries with no dependents who are covered by Medicaid plans for services furnished by nursing facilities.

(Sec. 608) Codifies under federal law pension rate increases for disabled veterans and surviving spouses and children

that became effective as of December 1, 2009.

**Title VII: Employment and Reemployment Rights of Members of the Uniformed Services** - (Sec. 701) Includes within USERRA a specific provision prohibiting wage discrimination against members of the Armed Forces.

(Sec. 702) Provides additional factors for determining whether an entity is a "successor in interest" for purposes of USERRA enforcement against employers.

**Title VIII: Benefits Matters** - (Sec. 801) Increases from 2,600 to 2,700 per year the number of veterans who may enroll in a VA program of independent living services and assistance.

(Sec. 802) Authorizes the Secretary, in the event that a VA-guaranteed home loan is modified under bankruptcy proceedings, to pay the mortgagor the unpaid balance of the loan, but only upon the assignment and delivery to the Secretary of all rights, interests, and claims under the loan.

(Sec. 803) Authorizes the VA to provide automobile and adaptive equipment assistance to disabled veterans and veterans with severe burn injuries.

(Sec. 804) Increases from \$11,000 to \$18,900 per veteran VA authority to assist severely disabled veterans to purchase automobiles or other equipment to accommodate such disabilities. Requires such amount to be adjusted annually by the percentage increase in the Consumer Price Index.

(Sec. 805) Requires: (1) the Secretary to enter into an agreement with the Institute of Medicine of the National Academy of Sciences (NAS) to conduct a comprehensive review of best treatments for chronic multisymptom illness in Persian Gulf War veterans; and (2) the Institute to report review results to the Secretary and the veterans committees.

(Sec. 806) Amends the Persian Gulf War Veterans Act of 1998 to: (1) extend until October 1, 2015, an NAS review and evaluation concerning associations between illnesses and exposure of Gulf War veterans to toxic agents, environmental or wartime hazards, or preventive medicines or vaccines; (2) require such review and evaluation to include service in any post-9/11 global theater of operations; and (3) require review and evaluation results to be listed separately for Gulf War service and post-9/11 service. Amends the Veterans Programs Enhancement Act of 1998 to: (1) extend until October 1, 2018, an NAS report on the health effects of such exposure; and (2) make the same service inclusion and separate listing requirements as above.

(Sec. 807) Extends through 2011 VA authority to operate a regional office in the Republic of the Philippines. Requires a report from the CG to the veterans committees on office activities, as well as the costs and benefits of maintaining such office there in lieu of the United States.

(Sec. 808) Extends through 2014 a report from the Secretary to Congress on cases of equitable relief in the disposition of veterans' benefits necessitated by VA administrative error.

(Sec. 809) Amends the Veterans Benefits Act of 2003 to extend through 2012 VA authority for the performance of medical disability evaluations by contract physicians.

**Title IX: Authorization of Medical Facility Projects and Major Medical Facility Leases** - (Sec. 901) Authorizes the Secretary to carry out specified FY2011 major medical facility leases (leases) in California, Massachusetts, Montana, and Puerto Rico.

(Sec. 902) Amends the Veterans Benefits, Health Care, and Information Technology Act of 2006 to increase the amounts authorized for major medical facility projects (projects) at VA medical centers in New Orleans, Louisiana, and Long Beach, California.

(Sec. 904) Authorizes appropriations for FY2011 for projects and leases authorized under this title, with a funding limitation for the New Orleans and Long Beach projects.

(Sec. 905) Requires bid savings from VA major medical facility projects to be utilized only for other VA major medical facility construction projects. Directs the Secretary to notify the veterans committees of such uses.

**Title X: Other Matters** - (Sec. 1001) Makes technical corrections to federal veterans provisions.

(Sec. 1002) Requires the budgetary effects of this Act to be determined by reference to the latest statement entitled "Budgetary Effects of PAYGO Legislation" for this Act, provided that such statement has been submitted prior to the vote on passage.

## Actions Timeline

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- **Oct 13, 2010:** Signed by President.
- **Oct 13, 2010:** Became Public Law No: 111-275.
- **Oct 1, 2010:** Presented to President.
- **Sep 29, 2010:** Mr. Filner moved that the House suspend the rules and agree to the Senate amendments. (consideration: CR H7321-7342)
- **Sep 29, 2010:** DEBATE - The House proceeded with forty minutes of debate on the motion to suspend the rules and agree to the Senate amendments to H.R. 3219.
- **Sep 29, 2010:** DEBATE - The House continued with further debate on H.R. 3219.
- **Sep 29, 2010:** Resolving differences -- House actions: On motion that the House suspend the rules and agree to the Senate amendments Agreed to by voice vote.(text as House agreed to Senate amendments: CR H7321-7330)
- **Sep 29, 2010:** On motion that the House suspend the rules and agree to the Senate amendments Agreed to by voice vote. (text as House agreed to Senate amendments: CR H7321-7330)
- **Sep 29, 2010:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 29, 2010:** Cleared for White House.
- **Sep 28, 2010:** Senate Committee on Veterans' Affairs discharged by Unanimous Consent.
- **Sep 28, 2010:** Measure laid before Senate by unanimous consent. (consideration: CR S7656-7665)
- **Sep 28, 2010:** Passed/agreed to in Senate: Passed Senate with an amendment and an amendment to the Title by Unanimous Consent.
- **Sep 28, 2010:** Passed Senate with an amendment and an amendment to the Title by Unanimous Consent.
- **Sep 28, 2010:** Message on Senate action sent to the House.
- **Jul 28, 2009:** Received in the Senate and Read twice and referred to the Committee on Veterans' Affairs.
- **Jul 27, 2009:** Mr. Filner moved to suspend the rules and pass the bill, as amended.
- **Jul 27, 2009:** Considered under suspension of the rules. (consideration: CR H8813-8818)
- **Jul 27, 2009:** DEBATE - The House proceeded with forty minutes of debate on H.R. 3219.
- **Jul 27, 2009:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H8814-8815)
- **Jul 27, 2009:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H8814-8815)
- **Jul 27, 2009:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 23, 2009:** Reported by the Committee on Veterans' Affairs. H. Rept. 111-223.
- **Jul 23, 2009:** Placed on the Union Calendar, Calendar No. 121.
- **Jul 15, 2009:** Introduced in House
- **Jul 15, 2009:** Committee Consideration and Mark-up Session Held.
- **Jul 15, 2009:** Ordered to be Reported by Voice Vote.
- **Jul 15, 2009:** Referred to the House Committee on Veterans' Affairs.