

HR 7105

Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020

Congress: 116 (2019–2021, Ended)

Chamber: House

Policy Area: Armed Forces and National Security

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Sponsor

Name: Rep. Levin, Mike [D-CA-49]

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

Cosponsors (10 total)

| Cosponsor | Party / State | Role | Date Joined |
|---|---------------|------|--------------|
| Rep. Banks, Jim [R-IN-3] | R · IN | | Jun 4, 2020 |
| Rep. Bergman, Jack [R-MI-1] | R · MI | | Jun 4, 2020 |
| Rep. Bilirakis, Gus M. [R-FL-12] | R · FL | | Jun 4, 2020 |
| Rep. Bost, Mike [R-IL-12] | R · IL | | Jun 4, 2020 |
| Rep. Brownley, Julia [D-CA-26] | D · CA | | Jun 4, 2020 |
| Rep. Cisneros, Gilbert Ray, Jr. [D-CA-39] | D · CA | | Jun 4, 2020 |
| Rep. Pappas, Chris [D-NH-1] | D · NH | | Jun 4, 2020 |
| Rep. Roe, David P. [R-TN-1] | R · TN | | Jun 4, 2020 |
| Rep. Takano, Mark [D-CA-41] | D · CA | | Jun 4, 2020 |
| Rep. Luria, Elaine G. [D-VA-2] | D · VA | | Jul 20, 2020 |

Committee Activity

| Committee | Chamber | Activity | Date |
|-----------------------------|---------|-----------------|--------------|
| Budget Committee | House | Referred To | Jun 4, 2020 |
| Veterans' Affairs Committee | House | Referred to | Jul 13, 2020 |
| Veterans' Affairs Committee | Senate | Discharged From | Dec 9, 2020 |

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

| Bill | Relationship | Last Action |
|-----------------------------|----------------|---|
| 116 S 4460 | Related bill | Dec 9, 2020: Held at the desk. |
| 116 HR 8813 | Related bill | Nov 24, 2020: Referred to the House Committee on Veterans' Affairs. |
| 116 S 4909 | Related bill | Nov 18, 2020: Read twice and referred to the Committee on Veterans' Affairs. |
| 116 HR 7811 | Related bill | Oct 6, 2020: Referred to the Subcommittee on Economic Opportunity. |
| 116 HR 8076 | Related bill | Oct 6, 2020: Referred to the Subcommittee on Health. |
| 116 HR 8483 | Related bill | Oct 1, 2020: Referred to the Committee on Veterans' Affairs, and in addition to the Committees on Armed Services, 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. |
| 116 HR 6589 | Related bill | Sep 30, 2020: Referred to the Subcommittee on Oversight and Investigations. |
| 116 HR 8415 | Related bill | Sep 29, 2020: Referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, 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. |
| 116 HR 8426 | Related bill | Sep 29, 2020: Referred to the House Committee on Veterans' Affairs. |
| 116 HR 4908 | Related bill | Sep 23, 2020: Received in the Senate and Read twice and referred to the Committee on Veterans' Affairs. |
| 116 S 4656 | Related bill | Sep 22, 2020: Read twice and referred to the Committee on Veterans' Affairs. (Sponsor introductory remarks on measure: CR S5791) |
| 116 HR 7287 | Related bill | Sep 16, 2020: Referred to the Subcommittee on Disability Assistance and Memorial Affairs. |
| 116 S 2558 | Related bill | Sep 15, 2020: Placed on Senate Legislative Calendar under General Orders. Calendar No. 541. |
| 116 S 4566 | Related bill | Sep 14, 2020: Read twice and referred to the Committee on Veterans' Affairs. |
| 116 HR 7584 | Related bill | Sep 8, 2020: Referred to the Subcommittee on Economic Opportunity. |
| 116 S 4365 | Related bill | Jul 29, 2020: Read twice and referred to the Committee on Veterans' Affairs. |
| 116 HR 7009 | Related bill | Jul 13, 2020: Referred to the Subcommittee on Economic Opportunity. |
| 116 S 4086 | Related bill | Jun 25, 2020: Read twice and referred to the Committee on Veterans' Affairs. |
| 116 S 3898 | Identical bill | Jun 4, 2020: Read twice and referred to the Committee on Veterans' Affairs. |
| 116 S 3788 | Related bill | May 20, 2020: Read twice and referred to the Committee on Veterans' Affairs. |
| 116 HR 6018 | Related bill | Mar 12, 2020: Ordered to be Reported by Voice Vote. |
| 116 HR 6140 | Related bill | Mar 12, 2020: Ordered to be Reported by Voice Vote. |
| 116 HR 2398 | Related bill | Jan 14, 2020: Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs. |

| Bill | Relationship | Last Action |
|-----------------------------|----------------|--|
| 116 S 2988 | Related bill | Dec 5, 2019: Read twice and referred to the Committee on Veterans' Affairs. |
| 116 HR 4477 | Related bill | Nov 13, 2019: Received in the Senate and Read twice and referred to the Committee on Veterans' Affairs. |
| 116 S 2806 | Related bill | Nov 6, 2019: Read twice and referred to the Committee on Veterans' Affairs. |
| 116 HR 4532 | Related bill | Oct 8, 2019: Referred to the Subcommittee on Health. |
| 116 HR 4312 | Related bill | Sep 24, 2019: Referred to the Subcommittee on Economic Opportunity. |
| 116 HR 3608 | Related bill | Jul 2, 2019: Referred to the House Committee on Veterans' Affairs. |
| 116 HR 2109 | Related bill | Jun 25, 2019: Received in the Senate and Read twice and referred to the Committee on Veterans' Affairs. |
| 116 HR 1947 | Related bill | May 22, 2019: Received in the Senate. |
| 116 S 1621 | Related bill | May 22, 2019: Read twice and referred to the Committee on Veterans' Affairs. |
| 116 HR 2787 | Identical bill | May 16, 2019: Referred to the House Committee on Education and Labor. |
| 116 HR 1271 | Related bill | Mar 7, 2019: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 31. |

Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020

This bill implements various updates to policies and programs for veterans, including those related to education, pandemic assistance, benefits, health care, homelessness, personnel, and financial matters.

TITLE I--EDUCATION

Subtitle A--Education Generally

(Sec. 1001) This section revises eligibility and prioritization for the Edith Nourse Rogers STEM Scholarship program under the Post-9/11 GI Bill.

(Sec. 1002) This section expands eligibility for the Marine Gunnery Sergeant John David Fry Scholarship to (1) a child or surviving spouse of a service member who dies on or after September 11, 2001, serving in a line of duty other than active duty, and (2) a child or surviving spouse of a Selected Reserve member who dies on or after September 11, 2001, from a service-connected disability.

(Sec. 1003) This section updates the Montgomery GI Bill program by extending the period of time within which an election must be made for entitlement to educational assistance under the program.

(Sec. 1004) This section phases out the Montgomery GI Bill program on September 30, 2030.

(Sec. 1005) This section updates provisions related to in-state tuition, including by removing a deadline that prevents certain veterans from receiving in-state tuition, regardless of their state of residence, using Department of Veterans Affairs (VA) education benefits at public institutions of higher education.

(Sec. 1006) This section expands the list of work-study activities that qualify for payment of work-study allowances under VA rehabilitation, training, and education programs.

(Sec. 1007) Under this section, an assistance payment for training and rehabilitation programs for veterans with service-connected disabilities shall not be charged against an individual's entitlement to such assistance if an individual is unable to complete a course or program due to the closure of an educational institution or disapproval of the course.

The section also authorizes the VA to continue to pay subsistence allowances for a specified amount of time during periods following the permanent closure of an institution or the disapproval of a course of study.

(Sec. 1008) This section updates terminology related to the VA's Yellow Ribbon Program by removing a reference to *established charges* consistent with other laws related to the Post-9/11 GI Bill.

(Sec. 1009) This section specifies that educational assistance is payable for programs of education leading to a degree that is pursued on active duty if the active duty is for a period of more than 30 days.

(Sec. 1010) The VA shall require each educational institution to submit monthly verification of each individual who is enrolled in a course or program of education and receiving educational assistance. Individuals must also submit a monthly verification of enrollment. If an individual fails to verify for two consecutive months, the VA may not make a monthly stipend payment until the individual submits such verification.

(Sec. 1011) This section expands the list of dependents who qualify as eligible dependents for purposes of transfer of education benefits under the Post-9/11 Educational Assistance Program. Under the section, an individual may transfer an entitlement to educational assistance to an eligible dependent or combination of eligible dependents.

(Sec. 1012) This section expands the reasons for which a course of education may be disapproved in relation to VA education benefits. Specifically, a program offered by an educational institution that is at risk of losing accreditation shall not be deemed approved.

(Sec. 1013) The VA and state approving agencies (SAAs) must develop a searchable risk-based survey for oversight of educational institutions with approved courses and programs of education. The VA must utilize SAAs for conducting a risk-based survey after development.

(Sec. 1014) The VA must notify an SAA when certain actions or events take place, such as final punitive action being taken against an educational institution. Additionally, the SAA must provide notice to the VA and other SAAs if it disapproves or suspends an educational institution.

(Sec. 1015) In order to approve an accredited program, the VA (or SAA) must find the educational institution is approved and participates in a federal student financial aid program (or has had such requirement waived).

(Sec. 1016) This section requires certain non-accredited law programs to be accredited by a specialized accrediting agency for programs of legal education in order to be approved for the administration of educational benefits.

(Sec. 1017) This section authorizes the disapproval of a course for VA education benefits if an institution does not comply with a risk-based survey by the SAA.

(Sec. 1018) This section limits participation in VA educational assistance programs if an educational institution (1) does not perform specified actions, such as providing estimated cost information to individuals prior to enrollment; (2) implements deceptive recruiting techniques or pays inducements to secure enrollments; or (3) is the subject of a negative action by its accrediting agency.

(Sec. 1019) This section provides that overpayments made by an educational institution to a veteran or eligible person shall constitute a liability of the educational institution to the United States if the payment is made as a payment of established charges to educational institutions, advance payment of initial educational assistance or subsistence allowance, a public-private contribution for additional education assistance, or a payment under the Edith Nourse Rogers STEM Scholarship.

(Sec. 1020) This section limits the type of advertising, sales, and marketing that schools may conduct while remaining eligible for VA education benefits by prohibiting substantial misrepresentation. Additionally, the section modifies the criteria that non-accredited courses must meet to be eligible for educational assistance.

(Sec. 1021) An individual enrolled in a course or program of education that closed or was discontinued who transfers fewer than 12 credits from such a program shall be deemed to not have received such credits and shall not have their entitlement to educational assistance charged during that period of enrollment.

(Sec. 1022) This section requires the VA or SAA to conduct an annual risk-based survey of an institution that converts from a for-profit to nonprofit educational institution during the three-year period after the conversion.

(Sec. 1023) This section authorizes an SAA to conduct outreach activities if funds are available and the SAA has properly

conducted its enforcement and approval duties.

(Sec. 1024) This section prohibits a state department or agency from being recognized as an SAA if the department is administered at or colocated with a university or university system.

(Sec. 1025) This section eliminates the 12-year time limitation on participation in the VA's Vocational Rehabilitation and Employment Program for veterans who were discharged or released from active military, naval, or air service on or after January 1, 2013.

Subtitle B--Pandemic Assistance

(Sec. 1101) This section establishes definitions for the following provisions related to pandemic assistance.

(Sec. 1102) The VA is authorized to provide educational assistance, including housing stipends and allowances, to individuals who are negatively affected by the COVID-19 emergency.

(Sec. 1103) This section ensures that entitlement to educational assistance will not be charged or counted against the aggregate period in situations where an individual was unable to complete a course or program due to the COVID-19 emergency.

(Sec. 1104) This section requires the VA to treat an individual's withdrawal from a program of education due to COVID-19 between March 1, 2020, and December 21, 2021, as a mitigating circumstance and not charge the individual's educational assistance entitlement.

(Sec. 1105) This section modifies the time limitation for use of Montgomery Bill benefits or vocational rehabilitation benefits during the pandemic so the window of eligibility does not expire during the COVID-19 emergency.

(Sec. 1106) This section adjusts the administration of certain benefits for veterans participating in an apprenticeship or other on-job training during the period between March 1, 2020, and December 21, 2021, including by proportionately reducing the 120-hour monthly training requirement to reflect an individual's period of unemployment without a reduction in training assistance.

(Sec. 1107) This section expands educational assistance to include programs or courses of education at training establishments (e.g., establishment providing apprentice or other on-job training) during the COVID-19 emergency.

(Sec. 1108) This section amends the Student Veteran Coronavirus Response Act of 2020 to ensure that entitlement to educational assistance will not be charged or counted against the aggregate period in situations where an individual was unable to complete a course or program due to the COVID-19 emergency.

TITLE II--BENEFITS

Subtitle A--Benefits Generally

(Sec. 2001) This section revises the definition of *Vietnam era* for purposes of the laws administered by the VA. Specifically, the bill adjusts the start date of the era to November 1, 1955 (currently February 28, 1961), when relating to veterans who served in the Republic of Vietnam.

(Sec. 2002) This section authorizes additional health care professionals (i.e., physicians, physician assistants, nurse practitioners, audiologists, and psychologists) to perform medical disability examinations for a period of three years as

part of the VA pilot program.

(Sec. 2003) This section codifies the rate for the Medal of Honor special pension and requires the VA to pay such pension to the surviving spouse of a Medal of Honor recipient.

(Sec. 2004) This section requires the VA to implement a service-disabled veterans life insurance program and to phase out an existing program upon implementation. The policy does not go into force unless a veteran has been paying premiums for two years; but if a veteran dies during the two-year period, the VA shall pay the veteran's beneficiary.

(Sec. 2005) The VA must provide specified information to a member of the uniformed services regarding a denial for traumatic injury benefits under the Servicemembers' Group Life Insurance program (e.g., the reason for the denial and the information upon which the denial was based).

(Sec. 2006) This section requires the VA to publish on its website the disability benefit questionnaire forms for non-VA medical providers submitting evidence regarding a disability of a claimant for purposes of VA benefits. If the VA updates the questionnaire form, previous versions of the form filed by claimants must be accepted for up to one year after the form was updated.

(Sec. 2007) The VA must establish a minimum debt threshold for when it will report to a consumer reporting agency in relation to a claim or debt arising from receipt of a VA benefit.

(Sec. 2008) The VA must ensure that a veteran may remove any dependent from an award of compensation or pension using the VA's system.

(Sec. 2009) This section authorizes the furnishing of dependency and indemnity compensation for surviving spouses who remarry after the age of 55.

(Sec. 2010) This section requires the VA to enter into an agreement with the Agency for Toxic Substances and Disease Registry to study the exposure to toxic substances at Karshi-Khanabad (K2) Air Base in Uzbekistan and the incidents of cancer or other disease experienced by members who served in that location.

(Sec. 2011) This section requires the Government Accountability Office (GAO) to brief and report on the efforts of the VA to provide benefits, including compensation and health care, to veterans who served in Vietnam and have certain conditions associated with exposure to herbicide agents (e.g., chloracne).

(Sec. 2012) This section extends through FY2030 the authority of the VA to obtain beneficiary-provided information from the Department of the Treasury or the Social Security Administration for purposes of approving applications for benefits or services.

(Sec. 2013) This section extends certain limits on payments of pension for veterans being furnished domiciliary care by the VA from September 30, 2028, to October 30, 2028.

Subtitle B--Housing

(Sec. 2101) This section expands eligibility to veterans who performed a specified amount of full-time National Guard duty for VA housing loan benefits, including the VA loan guaranty program.

(Sec. 2102) This section requires the VA to treat a subsequent VA home loan for repair or construction as an initial loan in situations where a veteran has obtained a loan and the dwelling securing the loan was substantially damaged by a

major disaster.

(Sec. 2103) This section extends the rates available for certain loan fees under the home loan guaranty program through October 1, 2030.

(Sec. 2104) This section authorizes the VA to collect overpayments of assistance made to specified individuals (e.g., individuals who applied for assistance or attorneys) in relation to the specially adapted housing program.

Subtitle C--Burial Matters

(Sec. 2201) This section authorizes the VA to pay costs related to the transportation of certain deceased veterans to veterans' cemeteries owned by a state or tribal organization.

(Sec. 2202) This section makes adjustments to the administration of burial or funeral benefits for veterans.

(Sec. 2203) This section authorizes the VA to provide an outer burial receptacle (i.e., a container for a casket) for new graves in cemeteries owned by a state or a tribal organization that have received grants under the Veterans Cemetery Grants Program.

(Sec. 2204) This section authorizes the VA to provide inscriptions for deceased spouses and children on certain headstones furnished by the VA.

(Sec. 2205) This section authorizes the VA to provide grants under the Veteran Cemetery Grants Program to counties for veterans' cemeteries if there are no grant-funded state or tribal veterans' cemeteries in the state (and the state did not apply for a grant in the previous year).

(Sec. 2206) This section increases to \$10 million (currently \$5 million) the maximum amount the VA may grant in a fiscal year to states and tribal organizations for operating and maintaining veterans' cemeteries.

(Sec. 2207) This section requires the VA to furnish an urn or commemorative plaque in lieu of a headstone or marker to certain deceased individuals if requested.

(Sec. 2208) This section authorizes Veterans Cemetery Grant Program funds to be used for training costs, including travel and up to four weeks of lodging expenses, for employees of a veterans' cemetery at training provided by the National Cemetery Administration.

TITLE III--HEALTH CARE

Subtitle A--Health Care Generally

(Sec. 3001) Under this section, the VA must allow veterans who were receiving extended care services from the VA to transfer to the Veteran Directed Care program temporarily during a public health emergency period if extended care services are no longer available due to the public health emergency. Additionally, the section expands the types of providers who can participate in the program.

(Sec. 3002) This section prohibits the VA from collecting copayments from American Indian or Alaska Native veterans for hospital care or medical services.

(Sec. 3003) This section requires state homes to submit weekly reports to the VA and the Centers for Disease Control

and Prevention during the COVID-19 public health emergency. A *state home* is a home established by a state for veterans who are disabled by age, disease, or otherwise and are incapable of earning a living because of such disability. The term also includes a home that furnishes nursing home care for veterans.

(Sec. 3004) This section expands eligibility for grants that provide per diem funding to state nursing homes for veterans to include state homes administered by Native American tribes.

(Sec. 3005) This section requires the VA to extend the Women's Health Transition Training program for at least one year after the enactment of this bill.

(Sec. 3006) This section authorizes the VA to furnish transportation in connection with the receipt of covered health care services for a newborn child of a woman veteran.

(Sec. 3007) This section authorizes the VA to waive existing eligibility requirements for a veteran to receive per diem payments for domiciliary care at a state home if the veteran meets at least four of such requirements (e.g., can feed himself or herself), or the waiver is in the best interest of the veteran.

(Sec. 3008) This section addresses the administration of the hiring process for VA personnel, including by requiring the VA to publish on a VA website specified information related to the duration of the hiring process for certain health care appointees (e.g., physicians).

(Sec. 3009) This section requires the VA to ensure that each of its medical centers with an on-site pharmacy or physical location dedicated for law enforcement purposes has a physical location where patients may dispose of controlled substances medications.

(Sec. 3010) This section requires the VA to implement a one-year pilot program to provide selected students with a clinical observation experience at VA medical centers.

Subtitle B--Scheduling and Consult Management

(Sec. 3101) This section requires the VA to establish a process and requirements for scheduling appointments for health care at the VA or under the Veterans Community Care Program (VCCP).

(Sec. 3102) The VA must provide for a facility-level audit of the scheduling of appointments and managing of consultations for health care. A second audit is required for facilities that are in need of corrective action identified by the first audit.

(Sec. 3103) The VA must review the staffing, training, and other requirements necessary to administer the VCCP. Additionally, the VA must measure the timeliness of the process for scheduling non-VA appointments after the VA refers a veteran for care.

(Sec. 3104) This section requires the VA to examine its health care positions to determine whether positions involved in consultation and scheduling processes are appropriately graded.

TITLE IV--NAVY SEAL BILL MULDER

Navy SEAL Bill Mulder Act of 2020

Subtitle A--Service Connection And COVID-19

(Sec. 4101) This section establishes, for purposes of VA benefits, a presumption of service-connection if COVID-19 symptoms manifest within a specified time period in individuals serving in the military or reserves during qualified periods of duty (i.e., active duty, training, or full-time National Guard duty). For individuals who become disabled or die as a result of COVID-19, it shall be presumed the individual became disabled or died during a qualified period of duty.

Subtitle B--Assistance For Homeless Veterans

(Sec. 4201) This bill addresses the administration of VA programs and benefits for homeless veterans during the COVID-19 public health emergency, including by authorizing collaboration with organizations to manage the use of VA land for homeless veterans to live and sleep.

(Sec. 4202) This section requires the VA to enter cooperative agreements or make grants to eligible entities that provide legal services to homeless veterans and veterans at risk for homelessness.

(Sec. 4203) This section requires the VA to report on areas where VA programs are failing to meet the needs of women veterans who are homeless.

(Sec. 4204) This section provides for the adjustment of rates of per diem payments for entities that provide benefits and services to homeless veterans and provides for reimbursement for certain fees.

(Sec. 4205) This section repeals the sunset on the authority of the VA and the Department of Labor to carry out a program of referral and counseling for veterans who are at risk of homelessness and are transitioning from certain institutions (e.g., penal institutions).

(Sec. 4206) This section authorizes the VA to enter into a memorandum of understanding with the Department of Health and Human Services under which case managers of the Indian Health Service may provide case management assistance to veterans who participate in the Tribal HUD-VASH program.

(Sec. 4207) This section requires the directors of certain VA medical centers to seek to enter into agreements with eligible entities to provide case management services to veterans participating in the HUD-VASH program who need case managers and are having difficulty obtaining the assistance they need.

(Sec. 4208) This section requires the VA to submit a report on the assessment of hiring needs of the HUD-VASH program.

Subtitle C--Retraining Assistance For Veterans

(Sec. 4301) This section grants access to the VA and Labor to certain information reported by employers to the federal directory of new hires in order to track employment of veterans.

(Sec. 4302) This section updates the VA's High Technology Pilot Program by expanding eligibility to veterans who are within 180 days of their separation from service.

(Sec. 4303) This section amends the pilot program for providing off-base transition training for veterans and their spouses, including by extending the program from two to five years.

(Sec. 4304) This section requires the VA to make grants to eligible organizations for the provision of transition assistance.

(Sec. 4305) This section requires the VA to enter into an agreement with an entity with experience in adult education to

carry out a one-year independent assessment of the Transition Assistance Program.

(Sec. 4306) This section requires the VA, in consultation with specified agencies (e.g., the Department of Defense), to conduct a five-year longitudinal study about the Transition Assistance Program on three separate cohorts of members of the Armed Forces who meet certain criteria.

TITLE V--DEBORAH SAMPSON

Deborah Sampson Act of 2020

Subtitle A--Improving Access For Women Veterans To The Department Of Veterans Affairs

(Sec. 5101) The Veterans Health Administration (VHA) must establish the Office of Women's Health for the purpose of providing a central office for monitoring and encouraging the activities of VHA with respect to the provision, evaluation, and improvement of women veterans' health care services.

(Sec. 5102) This section requires the VA to prioritize the retrofitting of existing VA medical facilities with fixtures, materials, and other outfitting measures to support the provision of care to women veterans at the facilities.

(Sec. 5103) The VA must establish a policy under which the environment of care standards and inspections at VA medical centers include certain elements, including a requirement for the frequency of inspections and a remediation plan.

(Sec. 5104) This section authorizes the provision of reintegration and readjustment counseling in group retreat settings for certain veterans and their family members.

(Sec. 5105) This section requires the VA to enter into one or more agreements with private or public entities to provide legal services to women veterans. The partnership must focus on the unmet needs of women veterans as identified by the Community Homelessness Assessment, Local Education and Networking Groups (CHALENG) survey.

(Sec. 5106) The GAO must survey women veterans who have received or are receiving supportive services provided for very low-income veterans to determine satisfaction with the ability of those services to meet the needs of such veterans.

(Sec. 5107) This section makes permanent a pilot program to provide child care to veterans who are receiving VA health care, particularly mental health services. The section also establishes a pilot program to assess the feasibility and advisability of providing child care assistance to certain veterans receiving readjustment counseling and mental health services.

(Sec. 5108) This section requires the VA to ensure women veterans are able to access clinically appropriate prosthetic appliances through each VA medical facility.

(Sec. 5109) This section requires the VA to enhance the capabilities of its women veterans call center to respond to requests by women veterans for assistance with accessing VA health care and benefits.

(Sec. 5110) This section requires the VA to study its infertility services offerings.

(Sec. 5111) This section expresses the sense of Congress that members of the reserve components of the Armed Forces, including members of the National Guard, should be able to access all VA health care facilities to receive counseling and treatment relating to military sexual trauma.

Subtitle B--Increasing Staff Cultural Competency

(Sec. 5201) This section requires the VA to ensure each of its medical facilities has at least one full-time or part-time women's health primary care provider whose duties include providing training to other VA health care providers on the needs of women veterans.

(Sec. 5202) This section authorizes an appropriation for the VA Women Veterans Health Care Mini-Residency Program to provide opportunities for participation in such program for primary care and emergency clinicians.

(Sec. 5203) The VA must establish a training module for community providers (non-VA health care providers) that is specific to women veterans.

(Sec. 5204) The VA must study the use of its Women Veteran Program Manager program to determine if the program is appropriately staffed, whether each VA medical center is staffed with a Women Veteran Program Manager, and whether it is feasible and advisable to have a Women Veteran Program Ombudsman at each VA medical center.

(Sec. 5205) The VA must study and report on the Women Veteran Coordinator program of the Veterans Benefits Administration (VBA).

(Sec. 5206) The VA must assess the capacity of its peer specialists who are women. Additionally, the VA must submit a plan to hire additional qualified peer specialists who are women, with special consideration for areas that lack female peer specialists.

Subtitle C--Eliminating Harassment And Assault

(Sec. 5301) This section expands access to former National Guard members or Reservists for certain counseling and services related to sexual trauma experienced during a member's military service. The section also authorizes the VA to provide treatment for physical conditions under the program related to military sexual trauma.

(Sec. 5302) This section expands the reporting requirement for the Advisory Committee on Women Veterans' to include an examination on the effect of intimate partner violence on women veterans.

(Sec. 5303) This section requires the Office of Assault and Prevention of the VHA to establish a policy to end harassment and sexual assault, including sexual and gender-based harassment, at its facilities. The VA must also designate points of contact to receive reports of harassment and sexual assault at each VA facility, each Veterans Integrated Service Network (VISN), each National Cemetery Administration location, each regional benefits office, and at the Central Office of the VA. Additionally, the VA must establish a policy for addressing harassment and sexual assault at facilities and the VISN.

(Sec. 5304) This section requires the VA to implement a pilot program to assess the feasibility and advisability of assisting veterans who have experienced or are experiencing intimate partner violence or sexual assault in accessing VA benefits.

(Sec. 5305) The VA must consult with the Department of Justice to conduct a national baseline study to examine the scope of the problem of intimate partner violence and sexual assault among veterans and spouses or intimate partners of veterans.

Subtitle D--Data Collection and Reporting

(Sec. 5401) This section requires the VA to collect and analyze data on its programs that provide services or benefits to veterans.

(Sec. 5402) This section requires the VA to study the barriers to the provision of VA health care encountered by women veterans.

(Sec. 5403) The VA must study the feasibility and advisability of expanding the Parenting STAIR program to all VA medical centers and including such program as part of care for military sexual trauma for affected members and former members of the Armed Forces.

Subtitle E--Benefits Matters

(Sec. 5501) This section requires the VA to establish specialized teams to process compensation claims for covered mental health conditions (e.g., post-traumatic stress disorder) related to military sexual trauma experienced by a veteran during active service.

(Sec. 5502) The VA must ensure that a veteran may choose the sex of the medical provider to perform the required medical examination for a compensation claim for mental or physical health conditions related to military sexual trauma.

(Sec. 5503) The VA must report on its progress in implementing the recommendations from the report of the Inspector General of the VA titled *Denied Posttraumatic Stress Disorder Claims Related to Military Sexual Trauma*.

TITLE VI--REPRESENTATION AND FINANCIAL EXPLOITATION MATTERS

Financial Refuge for Every Elderly Veteran Act of 2020 or the FREE Veteran Act of 2020

(Sec. 6002) This section requires the VA to develop a method for systematically soliciting and collecting information on complaints received, referrals made, and actions taken by the pension management centers of the VA in cases of potential financial exploitation of individuals receiving pension from the VA for non-service connected disability or death or for service.

(Sec. 6003) This section requires the VA to update its guidance and training for pension claims processors at least every three years.

(Sec. 6004) The VBA must evaluate the feasibility and advisability of requiring pension claims processors to take additional actions to verify the direct deposit information provided by an individual on an application for pension and to identify legislative or administrative actions to ensure payments are provided to the correct recipients.

(Sec. 6005) This section requires the VA to submit an annual report on its efforts to address the financial exploitation of individuals receiving pension from the VA for non-service connected disability or death or for service.

(Sec. 6006) The VBA must ensure every paper or electronic document relating to the receipt of pension includes a notice that the VA does not charge any fees in connection with the filing of an application for such pension.

(Sec. 6007) This section requires the VA to develop, in collaboration with veterans service organizations, an outreach plan for educating vulnerable individuals about potential financial exploitation relating to the receipt of pension from the VA for non-service connected disability or death or for service.

TITLE VII--OTHER MATTERS

Subtitle A--Administrative And Other Matters

(Sec. 7001) The VA must develop and establish a national protocol for the administration of medical examinations for volunteer drivers participating in the program of transportation services for veterans.

(Sec. 7002) This section establishes the Advisory Committee on Tribal and Indian Affairs to provide advice and guidance to the VA on matters relating to Indian tribes, tribal organizations, and Native American veterans.

(Sec. 7003) This section authorizes the VA to give preference to offerors that employ veterans on a full-time basis.

(Sec. 7004) This section extends employment and reemployment rights to members of the National Guard who perform specified state active duty, including in response to a national emergency or major disaster.

(Sec. 7005) This section requires the VA to pay a beneficiary (or their successor) the amount of a misused benefit in situations where there was no negligence but a fiduciary has misused such benefit.

(Sec. 7006) This section exempts from fiscal year limitations funds transferred from federal agencies to the VA for research or education by nonprofit corporations at VA medical centers.

(Sec. 7007) This section requires the VA to consult with the GAO and submit a report outlining the plan the VA has developed and the actions taken to address the areas of concern identified by the GAO in the 2019 High-Risk List of the Government Accountability Office (GAO-19-157SP) regarding acquisition management and managing risks and improving health care.

(Sec. 7008) This section requires the VA to submit a report on the implementation of priority recommendations of the GAO that pertain to the VA.

(Sec. 7009) This section modifies the methods used to monitor compliance with certain limitations on subcontracting by authorizing the VA to use systems other than its own to monitor compliance.

(Sec. 7010) This section requires the VA to provide specified notice to persons filing claims for damage, injury, or death on Standard Form 95, including by notifying them of the benefit of obtaining legal advice concerning the claim.

Subtitle B--Matters Relating To The Chief Financial Officer Of Department Of Veterans Affairs

(Sec. 7101) This section establishes definitions for the following provisions related to the Chief Financial Officer (CFO) of the VA.

(Sec. 7102) This section requires the VA to submit an action plan to address the material weaknesses of the VA discussed in the Management's Discussion and Analysis section of the VA's financial statements. Additionally, the VA must submit a plan outlining the steps planned to (1) address the recommendations of auditors related to entity-level controls, and (2) provide sufficient authority to carry out the CFO's duties.

(Sec. 7103) The CFO must submit a certification of the officer's responsibilities for internal financial controls of the VA and an attestation of sufficient collaboration with the subordinate CFOs to be confident in the financial projections included in the budget request and supporting materials.

(Sec. 7104) The CFO must participate in the interview and selection panels of all subordinate CFOs and give input into the performance plans and evaluations of all such officers.

Subtitle C--Servicemembers Civil Relief

(Sec. 7201) This section specifies that a service member who is authorized under current law to terminate a lease of premises or a motor vehicle lease without incurring an early termination fee may provide notice of the termination by specified electronic means.

(Sec. 7202) This section extends certain protections related to leases under the Servicemembers Civil Relief Act to members of the U.S. Coast Guard.

Actions Timeline

- **Jan 5, 2021:** Signed by President.
- **Jan 5, 2021:** Became Public Law No: 116-315.
- **Dec 24, 2020:** Presented to President.
- **Dec 16, 2020:** Mr. Takano moved that the House suspend the rules and agree to the Senate amendment. (consideration: CR H7169-7211)
- **Dec 16, 2020:** The House proceeded with forty minutes of debate on the motion to suspend the rules and agree to the Senate amendment to H.R. 7105.
- **Dec 16, 2020:** Resolving differences -- House actions: On motion that the House suspend the rules and agree to the Senate amendment Agreed to by voice vote.(text: CR H7169-7204)
- **Dec 16, 2020:** On motion that the House suspend the rules and agree to the Senate amendment Agreed to by voice vote. (text: CR H7169-7204)
- **Dec 16, 2020:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 10, 2020:** Message on Senate action sent to the House.
- **Dec 9, 2020:** Senate Committee on Veterans' Affairs discharged by Unanimous Consent.
- **Dec 9, 2020:** Measure laid before Senate by unanimous consent. (consideration: CR S7372)
- **Dec 9, 2020:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Dec 9, 2020:** Passed Senate with an amendment by Unanimous Consent. (text of amendment in the nature of a substitute: CR S7369-7370)
- **Sep 24, 2020:** Received in the Senate and Read twice and referred to the Committee on Veterans' Affairs.
- **Sep 23, 2020:** Mr. Takano moved to suspend the rules and pass the bill, as amended.
- **Sep 23, 2020:** Considered under suspension of the rules. (consideration: CR H4754-4763)
- **Sep 23, 2020:** DEBATE - The House proceeded with forty minutes of debate on H.R. 7105.
- **Sep 23, 2020:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.
- **Sep 23, 2020:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H4754-4760)
- **Sep 23, 2020:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 23, 2020:** The title of the measure was amended. Agreed to without objection.
- **Jul 13, 2020:** Referred to the Subcommittee on Economic Opportunity.
- **Jun 4, 2020:** Introduced in House
- **Jun 4, 2020:** Referred to the Committee on Veterans' Affairs, and in addition to the Committee on 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.