

116TH CONGRESS  
2D SESSION

# H. R. 7952

To make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to education, burial benefits, and other matters, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 7, 2020

Mr. BOST (for himself, Mr. BERGMAN, Mr. DAVID P. ROE of Tennessee, Mr. BILIRAKIS, Mr. BARR, Mr. BANKS, Mr. LAMALFA, and Mr. KINZINGER) introduced the following bill; which was 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

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## A BILL

To make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to education, burial benefits, and other matters, 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,*

3 **SECTION 1. SHORT TITLE.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Veteran Benefits Enhancement and Expansion Act of  
6 2020”.

1 (b) TABLE OF CONTENTS.—The table of contents for  
 2 this Act is as follows:

Sec. 1. Short title.

TITLE I—EDUCATION MATTERS

Sec. 101. Expansion of eligibility for Fry Scholarship to children and spouses of certain deceased members of the Armed Forces.

Sec. 102. Period for election to receive benefits under All-Volunteer Educational Assistance Program of Department of Veterans Affairs.

Sec. 103. Phase out of All-Volunteer Educational Assistance Program.

Sec. 104. Requirements for in-State tuition.

Sec. 105. Expansion of authority for certain qualifying work-study activities for purposes of the educational assistance programs of the Department of Veterans Affairs to include outreach services provided through congressional offices.

TITLE II—BURIAL MATTERS

Sec. 201. Transportation of deceased veterans to veterans' cemeteries.

Sec. 202. Increase in certain funeral benefits under laws administered by the Secretary of Veterans Affairs.

Sec. 203. Outer burial receptacles for each new grave in cemeteries that are the subjects of certain grants made by the Secretary of Veterans Affairs.

Sec. 204. Provision of inscriptions for spouses and children on certain headstones and markers furnished by Secretary of Veterans Affairs.

TITLE III—PENSION MATTERS

Sec. 301. Plan to address the financial exploitation of veterans receiving pension from the Department of Veterans Affairs.

Sec. 302. Overpayments of pension to veterans receiving pension from the Department of Veterans Affairs.

Sec. 303. Evaluation of additional actions for verifying direct deposit information provided by veterans on applications for veterans pension.

Sec. 304. Annual report on efforts of Department of Veterans Affairs to address the financial exploitation of veterans receiving pension.

Sec. 305. Notice regarding fees charged in connection with filing an application for veterans pension.

Sec. 306. Outreach plan for educating vulnerable veterans about potential financial exploitation relating to the receipt of pension.

Sec. 307. Penalties for representing veterans as agents and attorneys without recognition by Secretary of Veterans Affairs.

TITLE IV—OTHER MATTERS

Sec. 401. Medal of Honor special pension for surviving spouses.

Sec. 402. Modernization of service-disabled veterans insurance.

Sec. 403. Eligibility of certain members of the reserve components of the Armed Forces for home loans from the Secretary of Veterans Affairs.

Sec. 404. Adjustment of housing loan fees.

Sec. 405. Clarification of licensure requirements for contractor medical professionals to perform medical disability examinations for the Department of Veterans Affairs.

Sec. 406. Publication and acceptance of disability benefit questionnaire forms of Department of Veterans Affairs.

Sec. 407. Determination of budgetary effects.

## 1 **TITLE I—EDUCATION MATTERS**

### 2 **SEC. 101. EXPANSION OF ELIGIBILITY FOR FRY SCHOLAR-** 3 **SHIP TO CHILDREN AND SPOUSES OF CER-** 4 **TAIN DECEASED MEMBERS OF THE ARMED** 5 **FORCES.**

6 (a) IN GENERAL.—Subsection (b) of section 3311 of  
 7 title 38, United States Code, is amended—

8 (1) by redesignating paragraph (10) as para-  
 9 graph (12); and

10 (2) by inserting after paragraph (9) the fol-  
 11 lowing new paragraphs (10) and (11):

12 “(10) An individual who is the child or spouse  
 13 of a person who dies on or after September 11,  
 14 2001, in the line of duty while serving on duty other  
 15 than active duty as a member of the Armed Forces.

16 “(11) An individual who is the child or spouse  
 17 of a member who dies on or after September 11,  
 18 2001, while serving in the Selected Reserve, from a  
 19 service-connected disability.”.

20 (b) APPLICABILITY DATE.—The amendments made  
 21 by subsection (a) apply with respect to a quarter, semes-

1 ter, or term, as applicable, commencing on or after August  
2 1, 2021.

3 (c) CONFORMING AMENDMENTS.—

4 (1) Subsection (f) of such section is amended  
5 by striking “paragraph (9)” each place it appears  
6 and inserting “paragraphs (9), (10), and (11)”.

7 (2) Section 3322 of such title is amended—

8 (A) in subsection (e), by striking both  
9 “sections 3311(b)(9) and 3319” and inserting  
10 “section 3319 and paragraph (9), (10), or (11)  
11 of section 3311 of this title”;

12 (B) in subsection (f), by striking “section  
13 3311(b)(9)” and inserting “paragraph (9),  
14 (10), or (11) of section 3311 of this title”; and

15 (C) in subsection (h)(2), by striking “ei-  
16 ther section 3311(b)(9) or chapter 35” and in-  
17 serting “either chapter 35 or paragraph (9),  
18 (10), or (11) of section 3311”.

19 **SEC. 102. PERIOD FOR ELECTION TO RECEIVE BENEFITS**  
20 **UNDER ALL-VOLUNTEER EDUCATIONAL AS-**  
21 **SISTANCE PROGRAM OF DEPARTMENT OF**  
22 **VETERANS AFFAIRS.**

23 (a) IN GENERAL.—Section 3011 of title 38, United  
24 States Code, is amended—

1           (1) in subsection (c)(1), by striking “Any such  
 2       election shall be made at the time the individual ini-  
 3       tially enters on active duty as a member of the  
 4       Armed Forces” and inserting “Any such election  
 5       shall be made during the 90-day period beginning on  
 6       the day that is 180 days after the date on which the  
 7       individual initially enters initial training”; and

8           (2) in subsection (b)(1), by striking “that such  
 9       individual is entitled to such pay” and inserting  
 10      “that begin after the date that is 270 days after the  
 11      date on which the individual initially enters initial  
 12      training”.

13      (b) **EFFECTIVE DATE.**—The amendments made by  
 14      subsection (a) shall take effect 180 days after the date  
 15      of enactment of this Act.

16      **SEC. 103. PHASE OUT OF ALL-VOLUNTEER EDUCATIONAL**  
 17                                   **ASSISTANCE PROGRAM.**

18      Subsection (a)(1)(A) of section 3011 of title 38,  
 19      United States Code, as amended by section 1, is further  
 20      amended by striking “after June 30, 1985” and inserting  
 21      “during the period beginning July 1, 1985, and ending  
 22      September 30, 2030”.

23      **SEC. 104. REQUIREMENTS FOR IN-STATE TUITION.**

24      (a) **IN GENERAL.**—Section 3679(c) of title 38,  
 25      United States Code, is amended—

1           (1) in paragraph (2)(A), by striking “less than  
2           three years before the date of enrollment in the  
3           course concerned”; and

4           (2) in paragraph (4)—

5                 (A) by striking “It shall” and inserting  
6                 “(A) It shall”; and

7                 (B) by adding at the end the following new  
8                 subparagraph:

9           “(B) To the extent feasible, the Secretary shall make  
10          publicly available on the internet website of the Depart-  
11          ment a database explaining any requirements described in  
12          subparagraph (A) that are established by a public institu-  
13          tion of higher learning for an individual to be charged tui-  
14          tion and fees at a rate that is equal to or less than the  
15          rate the institution charges for tuition and fees for resi-  
16          dents of the State in which the institution is located. The  
17          Secretary shall disapprove a course of education provided  
18          by such an institution that does not provide the Sec-  
19          retary—

20                 “(i) an initial explanation of such requirements;  
21                 and

22                 “(ii) not later than 90 days after the date on  
23                 which any such requirements change, the updated  
24                 requirements.”.

1 (b) APPLICATION.—The amendments made by this  
2 section shall apply with respect to a quarter, semester, or  
3 term, as applicable, commencing on or after August 1,  
4 2021.

5 **SEC. 105. EXPANSION OF AUTHORITY FOR CERTAIN QUALI-**  
6 **FYING WORK-STUDY ACTIVITIES FOR PUR-**  
7 **POSES OF THE EDUCATIONAL ASSISTANCE**  
8 **PROGRAMS OF THE DEPARTMENT OF VET-**  
9 **ERANS AFFAIRS TO INCLUDE OUTREACH**  
10 **SERVICES PROVIDED THROUGH CONGRES-**  
11 **SIONAL OFFICES.**

12 Section 3485(a)(4) of title 38, United States Code,  
13 is amended by adding at the end the following new sub-  
14 paragraph:

15 “(K) The following activities carried out at the  
16 offices of Members of Congress for such Members:

17 “(i) The distribution of information to  
18 members of the Armed Forces, veterans, and  
19 their dependents about the benefits and services  
20 under laws administered by the Secretary and  
21 other appropriate governmental and nongovern-  
22 mental programs.

23 “(ii) The preparation and processing of pa-  
24 pers and other documents, including documents  
25 to assist in the preparation and presentation of

1           claims for benefits under laws administered by  
2           the Secretary.”.

## 3           **TITLE II—BURIAL MATTERS**

### 4   **SEC. 201. TRANSPORTATION OF DECEASED VETERANS TO** 5           **VETERANS’ CEMETERIES.**

6           (a) **IN GENERAL.**—Subsection (a) of section 2308 of  
7 title 38, United States Code, is amended by striking “in  
8 a national cemetery” and inserting “in a national ceme-  
9 tery or a covered veterans’ cemetery”.

10          (b) **COVERED VETERANS’ CEMETERY DEFINED.**—  
11 Section 2308 of such title is amended by adding at the  
12 end the following new subsection:

13          “(c) **COVERED VETERANS’ CEMETERY DEFINED.**—  
14 In this section, the term ‘covered veterans’ cemetery’  
15 means a veterans’ cemetery—

16                 “(1) in which a deceased veteran described in  
17 subsection (b) is eligible to be buried; and

18                 “(2) for which the Secretary has made a grant  
19 under section 2408 of this title.”.

20          (c) **CONFORMING AMENDMENT.**—Section 2308 of  
21 such title is amended in the section heading by adding  
22 at the end the following: “**or a veterans’ cemetery**”.

23          (d) **CLERICAL AMENDMENT.**—The table of sections  
24 at the beginning of chapter 23 of such title is amended



1 by striking the item relating to section 2308 and inserting  
2 the following new item:

“2308. Transportation of deceased veteran to a national cemetery or a veterans’  
cemetery.”.

3 **SEC. 202. INCREASE IN CERTAIN FUNERAL BENEFITS**  
4 **UNDER LAWS ADMINISTERED BY THE SEC-**  
5 **RETARY OF VETERANS AFFAIRS.**

6 (a) **FUNERAL EXPENSES FOR NON-SERVICE CON-**  
7 **NECTED DISABILITIES.**—Chapter 23 of title 38, United  
8 States Code, is amended as follows:

9 (1) By transferring subsection (b) of section  
10 2302 to the end of section 2303 and redesignating  
11 it as subsection (d).

12 (2) By striking section 2302.

13 (3) In section 2303—

14 (A) in the section heading, by striking  
15 “**Death in Department facility**” and in-  
16 serting “**Death from non-service-con-**  
17 **nected disability**”; and

18 (B) in subsection (a)—

19 (i) in paragraph (1), by striking “a  
20 veteran dies in a facility described in para-  
21 graph (2)” and inserting “a veteran de-  
22 scribed in paragraph (2) dies”;

23 (ii) by striking paragraph (2) and in-  
24 serting the following new paragraph:

1       “(2) A veteran described in this paragraph is a de-  
2 ceased veteran who is not covered by section 2307 and  
3 who meets any of the following criteria:

4           “(A) The deceased veteran dies in—

5               “(i) a facility of the Department (as de-  
6 fined in section 1701(3) of this title) to which  
7 the deceased veteran was properly admitted for  
8 hospital, nursing home, or domiciliary care  
9 under section 1710 or 1711(a) of this title; or

10              “(ii) an institution at which the deceased  
11 veteran was, at the time of death, receiving—

12                   “(I) hospital care in accordance with  
13 sections 1703A, 8111, and 8153 of this  
14 title;

15                   “(II) nursing home care under section  
16 1720 of this title; or

17                   “(III) nursing home care for which  
18 payments are made under section 1741 of  
19 this title.

20           “(B) At the time of death, the deceased veteran  
21 (including a person who died during a period deemed  
22 to be active military, naval, or air service under sec-  
23 tion 106(c) of this title) is in receipt of compensa-  
24 tion (or but for the receipt of retirement pay would

1 have been entitled to compensation) or was in re-  
2 ceipt of pension.

3 “(C) The Secretary determines—

4 “(i) the deceased veteran (including a per-  
5 son who died during a period deemed to be ac-  
6 tive military, naval, or air service under section  
7 106(c) of this title) has no next of kin or other  
8 person claiming the body of the deceased vet-  
9 eran; and

10 “(ii) that there are not available sufficient  
11 resources to cover burial and funeral ex-  
12 penses.”;

13 (iii) in subsection (b)—

14 (I) by striking “section 2302 of  
15 this title and”; and

16 (II) by striking “under section  
17 2302 of this title or”; and

18 (iv) in subsection (d), as added by  
19 paragraph (1) of this subsection, by strik-  
20 ing “Except as” and inserting “With re-  
21 spect to a deceased veteran described in  
22 subparagraph (B) or (C) of subsection  
23 (a)(2), except as”.

24 (b) CONFORMING AMENDMENTS.—Chapter 23 of  
25 such title is amended as follows:

1           (1) Section 2304 is amended by striking “Ap-  
2           plications for payments under section 2302 of this  
3           title” and inserting “Applications for payments  
4           under section 2303 of this title regarding veterans  
5           described in subparagraph (B) or (C) of subsection  
6           (a)(2) of such section”.

7           (2) Section 2307 is amended by striking “sec-  
8           tions 2302 and 2303(a)(1) and (b)(2) of this title”  
9           and inserting “section 2303(a)(1) and (b)(2) of this  
10          title”.

11          (3) Section 2308(a) is amended by striking  
12          “pursuant to section 2302 or 2307 of this title,”  
13          and inserting “pursuant to section 2303 of this title  
14          regarding veterans described in subparagraph (B) or  
15          (C) of subsection (a)(2) of such section, or pursuant  
16          to section 2307,”.

17          (c) CLERICAL AMENDMENT.—The table of sections  
18          at the beginning of chapter 23 of such title is amended  
19          by striking the items relating to sections 2302 and 2303  
20          and inserting the following new item:

“2303. Death from non-service-connected disability; plot allowance.”.

21          (d) EFFECTIVE DATE.—The amendments made by  
22          this Act shall apply to deaths that occur on or after the  
23          date of the enactment of this Act.

1 **SEC. 203. OUTER BURIAL RECEPTACLES FOR EACH NEW**  
2 **GRAVE IN CEMETERIES THAT ARE THE SUB-**  
3 **JECTS OF CERTAIN GRANTS MADE BY THE**  
4 **SECRETARY OF VETERANS AFFAIRS.**

5 Section 2306(e) of title 38, United States Code, is  
6 amended—

7 (1) in paragraph (1)(A), by inserting “, or in  
8 a cemetery that is the subject of a grant to a State  
9 or a tribal organization under section 2408 of this  
10 title,” after “National Cemetery Administration”;  
11 and

12 (2) by striking paragraph (2) and inserting the  
13 following new paragraph (2):

14 “(2) The use of outer burial receptacles in—

15 “(A) a cemetery under the control of the Na-  
16 tional Cemetery Administration or in a cemetery  
17 that is the subject of a grant to a State or a tribal  
18 organization under section 2408 of this title shall be  
19 in accordance with regulations or procedures ap-  
20 proved by the Secretary of Veterans Affairs; and

21 “(B) Arlington National Cemetery shall be in  
22 accordance with regulations or procedures approved  
23 by the Secretary of the Army.”.

1 **SEC. 204. PROVISION OF INSCRIPTIONS FOR SPOUSES AND**  
2 **CHILDREN ON CERTAIN HEADSTONES AND**  
3 **MARKERS FURNISHED BY SECRETARY OF**  
4 **VETERANS AFFAIRS.**

5 (a) IN GENERAL.—Section 2306 of title 38, United  
6 States Code, as amended by section 203, is further amend-  
7 ed by adding at the end the following new subsection:

8 “(j)(1) In addition to any other authority under this  
9 section, in the case of an individual whose grave is not  
10 in a covered cemetery (as that term is defined in sub-  
11 section (f)(2)) and for whom the Secretary has furnished  
12 a headstone or marker under subsection (a) or (d), the  
13 Secretary, if feasible and upon request, may replace the  
14 headstone or marker to add an inscription for the sur-  
15 viving spouse or eligible dependent child of such individual  
16 following the death of the surviving spouse or eligible de-  
17 pendent child.

18 “(2) If the spouse or eligible dependent child of an  
19 individual referred to in paragraph (1) predeceases the in-  
20 dividual, the Secretary may, if feasible and upon request,  
21 include an inscription for the spouse or dependent child  
22 on the headstone or marker furnished for the individual  
23 under subsection (a) or (d).”.

24 (b) APPLICATION.—Subsection (j) of section 2306 of  
25 title 38, United States Code, as added by subsection (a),

1 shall apply with respect to an individual who dies on or  
2 after October 1, 2019.

### 3 **TITLE III—PENSION MATTERS**

#### 4 **SEC. 301. PLAN TO ADDRESS THE FINANCIAL EXPLOI-** 5 **TATION OF VETERANS RECEIVING PENSION** 6 **FROM THE DEPARTMENT OF VETERANS AF-** 7 **FAIRS.**

8 (a) DEVELOPMENT OF METHOD FOR SOLICITATION  
9 AND COLLECTION OF INFORMATION.—Not later than one  
10 year after the date of the enactment of this Act, the Sec-  
11 retary of Veterans Affairs shall develop a method for sys-  
12 tematically soliciting and collecting information on com-  
13 plaints received, referrals made, and actions taken by the  
14 pension management centers of the Department of Vet-  
15 erans Affairs and any other relevant components of the  
16 Department, in cases of potential financial exploitation of  
17 individuals receiving pension under chapter 15 of title 38,  
18 United States Code.

19 (b) PLAN TO ASSESS AND ADDRESS FINANCIAL EX-  
20 PLOITATION OF VETERANS.—

21 (1) IN GENERAL.—The Secretary shall develop  
22 and periodically update a plan—

23 (A) to regularly assess the information so-  
24 licited and collected under subsection (a) to  
25 identify trends of potential financial exploitation

1 of the individuals described in subsection (a)  
2 across the Department; and

3 (B) to outline actions that the Department  
4 can take to improve education and training to  
5 address those trends.

6 (2) SUBMISSION OF PLAN.—Not later than one  
7 year after the date of the enactment of this Act, and  
8 not less frequently than once every two years there-  
9 after, the Secretary shall submit the plan most re-  
10 cently developed or updated under paragraph (1)  
11 to—

12 (A) the Comptroller General of the United  
13 States; and

14 (B) the Committee on Veterans' Affairs  
15 and the Special Committee on Aging of the  
16 Senate and the Committee on Veterans' Affairs  
17 of the House of Representatives.

18 (3) TERMINATION.—The requirement to submit  
19 a plan under this subsection shall terminate on the  
20 date that is six years after the date of the enactment  
21 of this Act.



1 **SEC. 302. OVERPAYMENTS OF PENSION TO VETERANS RE-**  
2 **CEIVING PENSION FROM THE DEPARTMENT**  
3 **OF VETERANS AFFAIRS.**

4 (a) GUIDANCE AND TRAINING FOR CLAIMS PROC-  
5 ESSORS.—

6 (1) IN GENERAL.—As the Secretary considers  
7 necessary, but not less frequently than once every  
8 three years, the Under Secretary for Benefits of the  
9 Department of Veterans Affairs shall update guid-  
10 ance and training curriculum for the processors of  
11 claims for pension under chapter 15 of title 38,  
12 United States Code, regarding the evaluation of  
13 questionable medical expenses on applications for  
14 pension, including by updating such guidance with  
15 respect to what constitutes a questionable medical  
16 expense and by including examples of such expenses.

17 (2) TERMINATION.—The requirement to update  
18 guidance and training curriculum under paragraph  
19 (1) shall terminate on the date that is ten years  
20 after the date of the enactment of this Act.

21 (b) IDENTIFICATION AND TRACKING.—The Under  
22 Secretary shall develop a method for identifying and track-  
23 ing the number of individuals who have received overpay-  
24 ments of pension under chapter 15 of title 38, United  
25 States Code.

1 (c) ANNUAL REPORT.—Not later than one year after  
2 the date of the enactment of this Act, and not later than  
3 October 31 of each of the two subsequent fiscal years, the  
4 Under Secretary shall submit to Congress a report that  
5 includes, for the period covered by the report—

6 (1) the number of individuals who received  
7 overpayments of pension under chapter 15 of title  
8 38, United States Code; and

9 (2) the top five reasons for such overpayments.

10 **SEC. 303. EVALUATION OF ADDITIONAL ACTIONS FOR**  
11 **VERIFYING DIRECT DEPOSIT INFORMATION**  
12 **PROVIDED BY VETERANS ON APPLICATIONS**  
13 **FOR VETERANS PENSION.**

14 (a) IN GENERAL.—The Under Secretary for Benefits  
15 of the Department of Veterans Affairs shall—

16 (1) conduct an evaluation of the feasibility and  
17 advisability of requiring the processors of claims for  
18 pension under chapter 15 of title 38, United States  
19 Code, to take additional actions to verify that the di-  
20 rect deposit information provided by an individual on  
21 an application for pension is for the appropriate re-  
22 cipient; and

23 (2) identify such legislative or administrative  
24 actions as the Under Secretary considers appropriate

1 to ensure that payments of pension are provided to  
2 the correct recipients.

3 (b) SUBMISSION TO CONGRESS.—

4 (1) IN GENERAL.—Not later than 240 days  
5 after the date of the enactment of this Act, the  
6 Under Secretary shall submit to Congress a report  
7 on the evaluation and identification under subsection  
8 (a).

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

11 (A) The findings of the Under Secretary  
12 with respect to the evaluation conducted under  
13 subsection (a)(1).

14 (B) The actions identified under subsection  
15 (a)(2).

16 (C) A plan for implementing any adminis-  
17 trative actions identified under subsection  
18 (a)(2).

19 (D) A rationale for not implementing any  
20 actions evaluated under paragraph (1) of sub-  
21 section (a) but not identified under paragraph  
22 (2) of such subsection.

1 **SEC. 304. ANNUAL REPORT ON EFFORTS OF DEPARTMENT**  
2 **OF VETERANS AFFAIRS TO ADDRESS THE FI-**  
3 **NANCIAL EXPLOITATION OF VETERANS RE-**  
4 **CEIVING PENSION.**

5 (a) IN GENERAL.—Not less frequently than once  
6 each year, the Secretary of Veterans Affairs shall submit  
7 to the Committee on Veterans' Affairs of the Senate and  
8 the Committee on Veterans' Affairs of the House of Rep-  
9 resentatives a report on efforts to address the financial  
10 exploitation of individuals receiving pension under chapter  
11 15 of title 38, United States Code.

12 (b) CONTENTS.—Each report required by subsection  
13 (a) shall include, for the period covered by the report, the  
14 following:

15 (1) The number of individuals who received  
16 pension under chapter 15 of title 38, United States  
17 Code, who have been referred by any component of  
18 the Department of Veterans Affairs to the Office of  
19 Inspector General of the Department as likely or  
20 proven victims of financial exploitation.

21 (2) The number of referrals and reports relat-  
22 ing to the financial exploitation of such individuals  
23 made by the Department of Veterans Affairs to—

24 (A) the Consumer Sentinel Network of the  
25 Federal Trade Commission; and

26 (B) the Department of Justice.

1           (3) A description of the actions taken as a re-  
2           sult of such referrals and reports against—

3                   (A) individuals recognized by the Secretary  
4                   as agents or attorneys under section 5904 of  
5                   title 38, United States Code; and

6                   (B) individuals not so recognized.

7           (c) TERMINATION.—The requirement to submit a re-  
8           port under subsection (a) shall terminate on the date that  
9           is four years after the date of the enactment of this Act.

10 **SEC. 305. NOTICE REGARDING FEES CHARGED IN CONNEC-**  
11 **TION WITH FILING AN APPLICATION FOR**  
12 **VETERANS PENSION.**

13           The Under Secretary for Benefits of the Department  
14           of Veterans Affairs shall ensure that every paper or elec-  
15           tronic document relating to the receipt of pension under  
16           chapter 15 of title 38, United States Code, that is avail-  
17           able to individuals who apply for such pension, including  
18           educational forms about or applications for such pension,  
19           includes a notice that the Department does not charge any  
20           fee in connection with the filing of an application for such  
21           pension.

1 **SEC. 306. OUTREACH PLAN FOR EDUCATING VULNERABLE**  
2 **VETERANS ABOUT POTENTIAL FINANCIAL EX-**  
3 **PLOITATION RELATING TO THE RECEIPT OF**  
4 **PENSION.**

5 (a) DEVELOPMENT OF PLAN.—The Under Secretary  
6 for Benefits of the Department of Veterans Affairs shall  
7 develop, in collaboration with veterans service organiza-  
8 tions, an outreach plan for educating vulnerable individ-  
9 uals about potential financial exploitation relating to the  
10 receipt of pension under chapter 15 of title 38, United  
11 States Code.

12 (b) SUBMISSION TO CONGRESS.—Not later than 180  
13 days after the date of the enactment of this Act, the Under  
14 Secretary shall submit to the Committee on Veterans' Af-  
15 fairs and the Special Committee on Aging of the Senate  
16 and the Committee on Veterans' Affairs of the House of  
17 Representatives the plan developed under subsection (a).

18 (c) VETERANS SERVICE ORGANIZATION DEFINED.—  
19 In this section, the term “veterans service organization”  
20 means an organization recognized by the Secretary of Vet-  
21 erans Affairs for the representation of veterans under sec-  
22 tion 5902 of title 38, United States Code.

1 **SEC. 307. PENALTIES FOR REPRESENTING VETERANS AS**  
2 **AGENTS AND ATTORNEYS WITHOUT REC-**  
3 **OGNITION BY SECRETARY OF VETERANS AF-**  
4 **FAIRS.**

5 (a) PENALTIES.—

6 (1) IN GENERAL.—Section 5905 of title 38,  
7 United States Code, is amended to read as follows:

8 **“§ 5905. Penalty for certain acts**

9 “(a) IN GENERAL.—Whoever commits any of the fol-  
10 lowing acts shall be fined as provided in title 18, or impris-  
11 oned for not more than one year, or both:

12 “(1) Undertakes or attempts to undertake any  
13 work in furtherance of the preparation, presentation,  
14 or prosecution of a claim under a law administered  
15 by the Secretary—

16 “(A) without recognition by the Secretary  
17 under sections 5902 through 5904 of this title;  
18 or

19 “(B) while suspended or excluded under  
20 section 5904(b) of this title.

21 “(2) Unlawfully withholds from any claimant or  
22 beneficiary any part of a benefit or claim under the  
23 laws administered by the Secretary that is allowed  
24 and due to the claimant or beneficiary.

25 “(b) SEEKING RECOGNITION.—Subsection (a)(1)(A)  
26 shall not be construed to include the seeking of recognition

1 from the Secretary to prepare, present, or prosecute a  
2 claim under a law administered by the Secretary.

3 “(c) LEGAL INTERNS, LAW STUDENTS, AND PARA-  
4 LEGALS.—Subsection (a)(1)(A) shall not apply to a legal  
5 intern, a law student, or a paralegal undertaking or at-  
6 tempting to undertake work in furtherance of the prepara-  
7 tion, presentation, or prosecution of a claim under a law  
8 administered by the Secretary to the degree that such  
9 legal intern, law student, or paralegal is doing so—

10 “(1) on behalf of or under the supervision of an  
11 attorney recognized by the Secretary under sections  
12 5902 through 5904 of this title; and

13 “(2) in a manner that is consistent with the  
14 Model Rules of Professional Conduct of the Amer-  
15 ican Bar Association.”.

16 (2) EFFECTIVE DATE.—The amendment made  
17 by subsection (a) shall apply with respect to acts  
18 committed after the date that is 180 days after the  
19 date of the enactment of this Act.

20 (b) BIENNIAL REVIEW OF RECOGNITION OF AGENTS  
21 AND ATTORNEYS.—

22 (1) IN GENERAL.—Not less frequently than  
23 once every two years, the General Counsel of the De-  
24 partment of Veterans Affairs shall submit to Con-



1       gress a report on activities under section 5904 of  
2       title 38, United States Code.

3               (2) CONTENTS OF REPORTS.—Each report sub-  
4       mitted under paragraph (1) shall include, for the pe-  
5       riod covered by the report, the following:

6               (A) A discussion of the rates generally  
7       charged for services covered by section 5904 of  
8       title 38, United States Code.

9               (B) A discussion of the requests made by  
10       claimants under subsection (c)(3)(A) of such  
11       section.

12              (C) A discussion of the fees reduced under  
13       such subsection.

14              (D) The number of claims for benefits  
15       under laws administered by the Secretary that  
16       were prepared, presented, or prosecuted by an  
17       individual acting as an agent or attorney who  
18       did so while not recognized under such section.

19              (3) TERMINATION.—The requirement to submit  
20       a report under this subsection shall terminate on the  
21       date that is seven years after the date of the enact-  
22       ment of this Act.

1           **TITLE IV—OTHER MATTERS**

2   **SEC. 401. MEDAL OF HONOR SPECIAL PENSION FOR SUR-**  
3                   **VIVING SPOUSES.**

4           (a) CODIFICATION OF CURRENT RATE OF SPECIAL  
5 PENSION.—Subsection (a) of section 1562 of title 38,  
6 United States Code, is amended by striking “\$1,000” and  
7 inserting “\$1,388.68”.

8           (b) SPECIAL PENSION FOR SURVIVING SPOUSES.—

9                   (1) SURVIVING SPOUSE BENEFIT.—Such sub-  
10 section is further amended—

11                           (A) by inserting “(1)” after “(a)”; and

12                           (B) by adding at the end the following new  
13 paragraph:

14                   “(2)(A) Except as provided in subparagraphs (B)  
15 and (C), the Secretary shall pay special pension under this  
16 section to the surviving spouse of a person whose name  
17 has been entered on the Army, Navy, Air Force, and Coast  
18 Guard Medal of Honor Roll and a copy of whose certificate  
19 has been delivered to the Secretary under section 1134a(d)  
20 of title 10.

21                   “(B) No special pension shall be paid to a surviving  
22 spouse of a person under this section unless such surviving  
23 spouse was married to such person—

24                           “(i) for one year or more prior to the veteran’s  
25 death; or

1           “(ii) for any period of time if a child was born  
2           of the marriage, or was born to them before the  
3           marriage.

4           “(C) No special pension shall be paid to a surviving  
5           spouse of a person under this section if such surviving  
6           spouse is eligible for or receiving benefits under section  
7           1311 or 1318 of this title.”.

8           (2) CONFORMING AMENDMENTS.—

9           (A) IN GENERAL.—Such section is amend-  
10          ed—

11                   (i) in subsection (d), by inserting “or  
12                   married to more than one person who has  
13                   been awarded a medal of honor,” after  
14                   “honor,”; and

15                   (ii) in subsection (f)(1), by striking  
16                   “this section” and inserting “paragraph  
17                   (1) of subsection (a), or under paragraph  
18                   (2) of such subsection in the case of a  
19                   posthumous entry on the Army, Navy, Air  
20                   Force, and Coast Guard Medal of Honor  
21                   Roll,”.

22           (B) SPECIAL PROVISIONS RELATING TO  
23          MARRIAGES.—Section 103(d)(5) of such title is  
24          amended by adding at the end the following  
25          new subparagraph:

1           “(E) Section 1562(a)(2), relating to Medal of  
2 Honor special pension.”.

3           (3) EFFECTIVE DATE.—The amendments made  
4 by this subsection shall apply with respect to pay-  
5 ment of pension under section 1562 of title 38,  
6 United States Code, for months beginning after the  
7 date of the enactment of this Act.

8 **SEC. 402. MODERNIZATION OF SERVICE-DISABLED VET-**  
9 **ERANS INSURANCE.**

10          (a) ESTABLISHMENT OF MODERNIZED PROGRAM.—

11           (1) IN GENERAL.—Chapter 19 of title 38,  
12 United States Code, is amended by inserting after  
13 section 1922A the following new section:

14 **“§ 1922B. Service-disabled veterans insurance**

15          “(a) INSURANCE.—(1) Beginning January 1, 2023,  
16 the Secretary of Veterans Affairs shall carry out a service-  
17 disabled veterans insurance program under which a vet-  
18 eran is granted insurance by the United States against  
19 the death of such individual occurring while such insur-  
20 ance is in force.

21          “(2) The Secretary may only issue whole-life policies  
22 under the insurance program under paragraph (1).

23          “(3) The Secretary may not grant insurance to a vet-  
24 eran under paragraph (1) unless—

1           “(A) the veteran submits the application for  
2 such insurance before the veteran attains 81 years  
3 of age; or

4           “(B) with respect to a veteran who has attained  
5 81 years of age—

6           “(i) the veteran filed a claim for compensa-  
7 tion under chapter 11 of this title before attain-  
8 ing such age;

9           “(ii) based on such claim, and after the  
10 veteran attained such age, the Secretary first  
11 determines that the veteran has a service-con-  
12 nected disability; and

13           “(iii) the veteran submits the application  
14 for such insurance during the two-year period  
15 following the date of such determination.

16           “(4)(A) A veteran enrolled in the insurance program  
17 under paragraph (1) may elect to be insured in any of  
18 the following amounts:

19           “(i) \$10,000.

20           “(ii) \$20,000.

21           “(iii) \$30,000.

22           “(iv) \$40,000.

23           “(v) In accordance with subparagraph (B),  
24 a maximum amount greater than \$40,000.

1       “(B) The Secretary may establish a maximum  
2 amount to be insured under paragraph (1) that is greater  
3 than \$40,000 if the Secretary—

4               “(i) determines that such maximum amount  
5 and the premiums for such amount—

6                       “(I) are administratively and actuarially  
7 sound for the insurance program under para-  
8 graph (1); and

9                       “(II) will not result in such program oper-  
10 ating at a loss; and

11                      “(ii) publishes in the Federal Register, and sub-  
12 mits to the Committees on Veterans’ Affairs of the  
13 House of Representatives and the Senate, such max-  
14 imum amount and determination.

15       “(5)(A) Insurance granted under this section shall be  
16 on a nonparticipating basis and all premiums and other  
17 collections therefor shall be credited directly to a revolving  
18 fund in the Treasury of the United States, and any pay-  
19 ments on such insurance shall be made directly from such  
20 fund.

21       “(B) The Secretary of the Treasury may invest in  
22 and sell and retire special interest-bearing obligations of  
23 the United States for the account of the revolving fund  
24 under subparagraph (A). Such obligations issued for this  
25 purpose shall have maturities fixed with due regard for

1 the needs of the fund and shall bear interest at a rate  
2 equal to the average market yield (computed by the Sec-  
3 retary of the Treasury on the basis of market quotations  
4 as of the end of the calendar month preceding the date  
5 of issue) on all marketable interest-bearing obligations of  
6 the United States then forming a part of the public debt  
7 which are not due or callable until after the expiration of  
8 four years from the end of such calendar month; except  
9 that where such average market yield is not a multiple  
10 of one-eighth of 1 per centum, the rate of interest of such  
11 obligation shall be the multiple of one-eighth of 1 per cen-  
12 tum nearest such market yield.

13       “(6) Administrative support financed by the appro-  
14 priations for ‘General Operating Expenses, Department of  
15 Veterans Affairs’ and ‘Information Technology Systems,  
16 Department of Veterans Affairs’ for the insurance pro-  
17 gram under paragraph (1) shall be paid from premiums  
18 credited to the fund under paragraph (5). Such payment  
19 for administrative support shall be reimbursed for that fis-  
20 cal year from funds that are available on such insurance  
21 after claims have been paid.

22       “(b) ELIGIBILITY.—A veteran is eligible to enroll in  
23 the insurance program under subsection (a)(1) if the vet-  
24 eran has a service-connected disability, without regard  
25 to—

1           “(1) whether such disability is compensable  
2           under chapter 11 of this title; or

3           “(2) whether the veteran meets standards of  
4           good health required for other life insurance policies.

5           “(c) ENROLLMENT AND WAITING PERIOD.—(1) An  
6           eligible veteran may enroll in the insurance program under  
7           subsection (a)(1) at any time.

8           “(2) The life insurance policy of a veteran who enrolls  
9           in the insurance program under subsection (a)(1) does not  
10          go into force unless—

11           “(A) a period of two years elapses following the  
12          date of such enrollment; and

13           “(B) the veteran pays the premiums required  
14          during such two-year period.

15          “(3)(A) If a veteran dies during the two-year period  
16          described in paragraph (2), the Secretary shall pay to the  
17          beneficiary of the veteran the amount of premiums paid  
18          by the veteran under this section, plus interest.

19          “(B) For the initial year in which the Secretary car-  
20          ries out the insurance program under subsection (a)(1),  
21          the Secretary shall set the interest rate under subpara-  
22          graph (A) at one percent, except that the Secretary may  
23          adjust such rate based on actual program experience if  
24          such adjusted rate is not less than zero percent.



1       “(C)(i) For the second and each subsequent year in  
2 which the Secretary carries out the insurance program  
3 under subsection (a)(1), the Secretary shall calculate the  
4 interest rate under subparagraph (A) at an annual rate  
5 equal to the rate of return on the revolving fund under  
6 subsection (a)(5) for the calendar year preceding the year  
7 of the death of the veteran, except that the interest rate  
8 may not be less than zero percent.

9       “(ii) On an annual basis, the Secretary shall publish  
10 on the internet website of the Department the average in-  
11 terest rate calculated under clause (i) for that year.

12       “(d) PREMIUMS.—(1) The Secretary shall establish  
13 a schedule of basic premium rates by age per \$10,000 of  
14 insurance under subsection (a)(1) consistent with basic  
15 premium rates generally charged for guaranteed accept-  
16 ance life insurance policies by private life insurance com-  
17 panies. The Secretary may adjust such schedule after the  
18 first policy year in a manner consistent with the general  
19 practice of guaranteed acceptance life insurance policies  
20 issued by private life insurance companies.

21       “(2) Section 1912 of this title shall not apply to life  
22 insurance policies under subsection (a)(1), and the Sec-  
23 retary may not otherwise waive premiums for such insur-  
24 ance policies.

1       “(e) BENEFICIARIES.—(1) A veteran who enrolls in  
2 the insurance program under subsection (a)(1) may des-  
3 ignate a beneficiary of the life insurance policy.

4       “(2) If a veteran enrolled in the insurance program  
5 under subsection (a)(1) does not designate a beneficiary  
6 under paragraph (1) before the veteran dies, or if a des-  
7 ignated beneficiary predeceases the veteran, the Secretary  
8 shall determine the beneficiary in the following order:

9           “(A) The surviving spouse of the veteran.

10          “(B) The children of the veteran and descend-  
11 ants of deceased children by representation.

12          “(C) The parents of the veteran or the sur-  
13 vivors of the parents.

14          “(D) The duly appointed executor or adminis-  
15 trator of the estate of the veteran.

16          “(E) Other next of kin of the veteran entitled  
17 under the laws of domicile of the veteran at the time  
18 of the death of the veteran.

19       “(f) CLAIMS.—(1) If the deceased veteran designated  
20 a beneficiary under subsection (e)(1)—

21           “(A) the designated beneficiary is the only per-  
22 son who may file a claim for payment under sub-  
23 section (g) during the one-year period beginning on  
24 the date of the death of the veteran; and

1           “(B) if the designated beneficiary does not file  
2           a claim for the payment during the period described  
3           in paragraph (1), or if payment to the designated  
4           beneficiary within that period is prohibited by Fed-  
5           eral statute or regulation, a beneficiary described in  
6           subsection (e)(2) may file a claim for such payment  
7           during the one-year period following the period de-  
8           scribed in subparagraph (A) as if the designated  
9           beneficiary had predeceased the veteran.

10          “(2) If the deceased veteran did not designate a bene-  
11         ficiary under subsection (e)(1), or if the designated bene-  
12         ficiary predeceased the veteran, a beneficiary described in  
13         subsection (e)(2) may file a claim for payment under sub-  
14         section (g) during the two-year period beginning on the  
15         date of the death of the veteran.

16          “(3) If, on the date that is two years after the date  
17         of the death of the veteran, no claim for payment has been  
18         filed by any beneficiary pursuant to paragraph (1) or (2),  
19         and the Secretary has not received notice that any such  
20         claim will be so filed during the subsequent one-year pe-  
21         riod, the Secretary may make the payment to a claimant  
22         whom the Secretary determines to be equitably entitled to  
23         such payment.

24          “(g) PAYMENTS.—(1) In a case described in sub-  
25         section (f)—

1           “(A) in paragraph (1)(A), the Secretary shall  
2           pay the designated beneficiary not later than 90  
3           days after the designated beneficiary files a claim for  
4           payment; or

5           “(B) in paragraph (1)(B), (2), or (3), with re-  
6           spect to a complete and valid claim under such para-  
7           graphs, the Secretary shall make any payment not  
8           later than one year after the end of the period de-  
9           scribed in the applicable such paragraph.

10          “(2) In a case where the Secretary has not made an  
11          insurance payment under this section during the applica-  
12          ble period specified in paragraph (1) by reason of a bene-  
13          ficiary not yet having filed a claim, or the Secretary not  
14          yet making a determination under subsection (f)(3), the  
15          Secretary may make the payment after such applicable pe-  
16          riod.

17          “(3) Notwithstanding section 1917 of this title, the  
18          Secretary shall make an insurance payment under this  
19          section in a lump sum.

20          “(4) The Secretary may not make an insurance pay-  
21          ment under this section if such payment will escheat to  
22          a State.

23          “(5) Any payment under this subsection shall be a  
24          bar to recovery by any other person.”.

1           (2) CLERICAL AMENDMENT.—The table of sec-  
2           tions at the beginning of such chapter is amended  
3           by inserting after the item relating to section 1922A  
4           the following new item:

“1922B. Service-disabled veterans insurance.”.

5           (b) SUNSET OF PREVIOUS PROGRAM AND TRANSI-  
6           TION.—

7           (1) S–DVI.—Section 1922 of such title is  
8           amended by adding at the end the following new  
9           subsection:

10          “(d)(1) The Secretary may not accept any application  
11          by a veteran to be insured under this section after Decem-  
12          ber 31, 2022.

13          “(2)(A) During the period beginning January 1,  
14          2023, and ending December 31, 2025, a veteran who is  
15          insured under this section may elect to instead be insured  
16          under section 1922B of this title based on the age of the  
17          veteran at the time of such election.

18          “(B) A veteran who elects under subparagraph (A)  
19          to be insured under section 1922B of this title shall be  
20          subject to the two-year waiting period specified in sub-  
21          section (c) of such section. If the veteran dies during such  
22          period, the Secretary shall pay the beneficiary under this  
23          section, and, if applicable, under section 1922A, plus the  
24          amount of premiums paid by the veteran under such sec-  
25          tion 1922B, plus interest.

1       “(3) Except as provided by paragraph (2)(B), a vet-  
 2 eran may not be insured under this section and section  
 3 1922B simultaneously.”.

4           (2) SUPPLEMENTAL S–DVI.—Section 1922A(b)  
 5 of such title is amended by adding after the period  
 6 the following: “The Secretary may not accept any  
 7 such application after December 31, 2022. Except  
 8 as provided by section 1922(d)(2)(B), a veteran may  
 9 not have supplemental insurance under this section  
 10 and be insured under section 1922B simulta-  
 11 neously.”.

12       (c) CONFORMING AMENDMENTS.—Chapter 19 of  
 13 such title is amended—

14           (1) in the section heading of section 1922, by  
 15 striking “**Service**” and inserting “**Legacy serv-**  
 16 **ice**”;

17           (2) in the section heading of section 1922A, by  
 18 striking “**Supplemental**” and inserting “**Leg-**  
 19 **acy supplemental**”; and

20           (3) in the table of sections at the beginning of  
 21 such chapter by striking the items relating to sec-  
 22 tions 1922 and 1922A and inserting the following  
 23 new items:

“1922. Legacy service disabled veterans’ insurance.

“1922A. Legacy supplemental service disabled veterans’ insurance for totally disabled veterans.”.

1 **SEC. 403. ELIGIBILITY OF CERTAIN MEMBERS OF THE RE-**  
2 **SERVE COMPONENTS OF THE ARMED**  
3 **FORCES FOR HOME LOANS FROM THE SEC-**  
4 **RETARY OF VETERANS AFFAIRS.**

5 (a) **EXTENSION OF ELIGIBILITY.**—Section 3701(b)  
6 of title 38, United States Code, is amended by adding at  
7 the end the end the following new paragraph:

8 “(7) The term ‘veteran’ also includes, for pur-  
9 poses of home loans, an individual who performed  
10 active service (as that term is defined in section 101  
11 of title 10) for a period—

12 “(A) of not less than 90 cumulative days;

13 and

14 “(B) that includes 30 consecutive days.”.

15 (b) **CONFORMING AMENDMENT.**—Section 3702(a)(2)  
16 of such title is amended by adding at the end the following  
17 new subparagraph:

18 “(G) Each individual described in section  
19 3701(b)(7) of this title.”.

20 **SEC. 404. ADJUSTMENT OF HOUSING LOAN FEES.**

21 Subsection (b)(2) of section 3729 of title 38, United  
22 States Code, is amended by striking “October 1, 2029”  
23 each place it appears and inserting “October 1, 2030”.

1 **SEC. 405. CLARIFICATION OF LICENSURE REQUIREMENTS**  
2 **FOR CONTRACTOR MEDICAL PROFES-**  
3 **SIONALS TO PERFORM MEDICAL DISABILITY**  
4 **EXAMINATIONS FOR THE DEPARTMENT OF**  
5 **VETERANS AFFAIRS.**

6 Subsection (c) of section 504 of the Veterans' Bene-  
7 fits Improvements Act of 1996 (Public Law 104–275; 38  
8 U.S.C. 5101 note) is amended to read as follows:

9 “(c) LICENSURE OF CONTRACT HEALTH CARE PRO-  
10 FESSIONALS.—

11 “(1) IN GENERAL.—Notwithstanding any law  
12 regarding the licensure of health care professionals,  
13 a health care professional described in paragraph (2)  
14 may conduct an examination pursuant to a contract  
15 entered into under subsection (a) at any location in  
16 any State, the District of Columbia, or a Common-  
17 wealth, territory, or possession of the United States,  
18 so long as the examination is within the scope of the  
19 authorized duties under such contract.

20 “(2) HEALTH CARE PROFESSIONAL DE-  
21 SCRIBED.—A health care professional described in  
22 this paragraph is a physician, physician assistant,  
23 nurse practitioner, audiologist, or psychologist,  
24 who—

25 “(A) has a current unrestricted license to  
26 practice the health care profession of the physi-



1           cian, physician assistant, nurse practitioner, au-  
2           diologist, or psychologist, as the case may be;

3           “(B) is not barred from practicing such  
4           health care profession in any State, the District  
5           of Columbia, or a Commonwealth, territory, or  
6           possession of the United States; and

7           “(C) is performing authorized duties for  
8           the Department of Veterans Affairs pursuant to  
9           a contract entered into under subsection (a).”.

10 **SEC. 406. PUBLICATION AND ACCEPTANCE OF DISABILITY**

11                   **BENEFIT QUESTIONNAIRE FORMS OF DE-**  
12                   **PARTMENT OF VETERANS AFFAIRS.**

13           (a) IN GENERAL.—Section 5101 of title 38, United  
14 States Code, is amended—

15           (1) by redesignating subsection (d) as sub-  
16           section (e); and

17           (2) by inserting after subsection (e) the fol-  
18           lowing new subsection (d):

19           “(d)(1) The Secretary shall publish in a central loca-  
20           tion on the internet website of the Department disability  
21           benefit questionnaire forms of the Department for the  
22           submittal of evidence from non-Department medical pro-  
23           viders regarding a disability of a claimant.

1       “(2) Subject to section 6103 of this title, if the Sec-  
2 retary updates a form described in paragraph (1), the Sec-  
3 retary shall—

4           “(A) accept the previous version of the form  
5 filed by a claimant if—

6               “(i) the claimant provided to the non-De-  
7 partment medical provider the previous version  
8 of the form before the date on which the up-  
9 dated version of the form was made available;  
10 and

11               “(ii) the claimant files the previous version  
12 of the form during the one-year period following  
13 the date the form was completed by the non-  
14 Department medical provider;

15           “(B) request from the claimant (or from the  
16 non-Department medical provider if the claimant has  
17 authorized the provider to share health information  
18 with the Secretary) any other information that the  
19 updated version of the form requires; and

20           “(C) apply the laws and regulations required to  
21 adjudicate the claim as if the claimant filed the up-  
22 dated version of the form.

23       “(3) The Secretary may waive any interagency ap-  
24 proval process required to approve a modification to a dis-

1 ability benefit questionnaire form if such requirement only  
2 applies by reason of the forms being made public.”.

3 (b) REPORTS BY INSPECTOR GENERAL OF THE DE-  
4 PARTMENT OF VETERANS AFFAIRS.—Not less frequently  
5 than once each year through 2023, the Inspector General  
6 of the Department of Veterans Affairs shall submit to  
7 Congress a report on the findings of the Inspector General  
8 with respect to the use of the forms published under sec-  
9 tion 5101(d)(1) of such title, as added by subsection (a).

10 (c) INITIAL FORM.—The Secretary of Veterans Af-  
11 fairs shall begin carrying out section 5101(d)(1) of such  
12 title, as added by subsection (a), by publishing, as de-  
13 scribed in such section, the form described in such section  
14 that was in effect on January 1, 2020.

15 (d) ALTERNATE FORMS.—

16 (1) ASSESSMENT AND REPORT.—Subject to  
17 paragraph (2), not later than one year after the date  
18 of the enactment of this act, the Secretary shall—

19 (A) assess the feasibility and advisability of  
20 replacing disability benefit questionnaire forms  
21 that are used by Department providers, pro-  
22 viders and health care professionals under con-  
23 tract with the Department under section 504 of  
24 the Veterans’ Benefits Improvements Act of  
25 1996 (Public Law 104–275; 38 U.S.C. 5101

1 note), and non-Department medical providers to  
2 submit to the Secretary evidence regarding a  
3 disability of a claimant for benefits under laws  
4 administered by the Secretary, with another  
5 consistent form; and

6 (B) submit to Congress—

7 (i) a report on the findings of the Sec-  
8 retary with respect to the assessment con-  
9 ducted under subparagraph (A); and

10 (ii) a plan to replace the disability  
11 benefit questionnaire forms as described in  
12 subparagraph (A), including with respect  
13 to publishing the replacement forms on the  
14 internet website of the Department of Vet-  
15 erans Affairs.

16 (2) REQUIREMENTS.—The Secretary may only  
17 determine under paragraph (1)(A) that replacing the  
18 forms described in such paragraph is feasible and  
19 advisable if the Secretary determines that—

20 (A) it is in the best interest of veterans to  
21 do so; and

22 (B) the replacement forms would include  
23 all the medical information needed to adjudicate  
24 a claim for benefits under laws administered by  
25 the Secretary.

1 (3) IMPLEMENTATION.—

2 (A) IN GENERAL.—Subject to subpara-  
3 graph (B), if the Secretary determines under  
4 paragraph (1)(A) that replacing the forms as  
5 described in such paragraph is feasible and ad-  
6 visable, the Secretary shall, not earlier than two  
7 years after the date on which the Secretary  
8 submits the report under paragraph (1)(B)(i),  
9 replace the forms as described in paragraph  
10 (1)(A) and publish the replacement forms on  
11 the internet website of the Department of Vet-  
12 erans Affairs.

13 (B) WAIVER.—The Secretary may waive  
14 the requirement of subparagraph (A) at any  
15 time if the Secretary determines that the re-  
16 quirements of paragraph (2) will not be satis-  
17 fied.

18 (4) APPLICATION OF DBQ REQUIREMENTS.—  
19 Section 5101(d) of title 38, United States Code, as  
20 added by subsection (a), shall apply with respect to  
21 the disability benefit questionnaire forms of the De-  
22 partment until the date on which the Secretary re-  
23 places the forms as described in paragraph (1)(A)  
24 pursuant to paragraph (3).

1 (e) RULE OF CONSTRUCTION.—Nothing in this sec-  
2 tion or section 5101(d) of such title, as added by sub-  
3 section (a), may be construed to require the Secretary to  
4 develop any new information technology system or other-  
5 wise require the Secretary to make any significant changes  
6 to the internet website of the Department.

7 **SEC. 407. DETERMINATION OF BUDGETARY EFFECTS.**

8 The budgetary effects of this Act, for the purpose of  
9 complying with the Statutory Pay-As-You-Go Act of 2010,  
10 shall be determined by reference to the latest statement  
11 titled “Budgetary Effects of PAYGO Legislation” for this  
12 Act, submitted for printing in the Congressional Record  
13 by the Chairman of the House Budget Committee, pro-  
14 vided that such statement has been submitted prior to the  
15 vote on passage.

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