

112TH CONGRESS
1ST SESSION

H. R. 117

To amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 2011

Mr. FILNER introduced the following bill; which was referred to the
Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Housing, Employment, and Living Programs for Vet-
6 erans Act of 2011” or the “HELP Veterans Act of 2011”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. References to title 38, United States Code.

- Sec. 3. Modification of standard of visual acuity required for eligibility for specially adapted housing assistance provided by the Secretary of Veterans Affairs.
- Sec. 4. Authorities regarding housing loans guaranteed by the Department of Veterans Affairs.
- Sec. 5. Assistance for flight training.
- Sec. 6. Seven-year increase in amount of assistance for individuals pursuing internships or on-the-job training.
- Sec. 7. Extension of authority for certain qualifying work-study activities for purposes of the educational assistance programs of the Department of Veterans Affairs.
- Sec. 8. Expansion of work-study allowance to include certain outreach services conducted through congressional offices.
- Sec. 9. Temporary reduction of required amount of wages for on-the-job training programs.
- Sec. 10. Reauthorization of Veterans' Advisory Committee on Education.
- Sec. 11. Review and evaluation of new technology.
- Sec. 12. Child care; President's Budget.
- Sec. 13. Increase in amount of reporting fee payable to educational institutions that enroll veterans receiving educational assistance.
- Sec. 14. Modification of advance payment of initial educational assistance or subsistence allowance.
- Sec. 15. Increase in amount of subsistence allowance payable to veterans participating in vocational rehabilitation program.
- Sec. 16. Expansion of availability of employment assistance allowance for veterans using employment services.
- Sec. 17. Veterans entrepreneurial development summit.
- Sec. 18. Increase in the maximum amount of specially adapted housing assistance authorized to be provided by the Secretary of Veterans Affairs.
- Sec. 19. Department of Veterans Affairs housing loans for construction of energy efficient dwellings.
- Sec. 20. Pilot program on specially adapted housing assistance for veterans residing temporarily in housing owned by a family member.

1 SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

2 Except as otherwise expressly provided, whenever in
 3 this Act an amendment or repeal is expressed in terms
 4 of an amendment to, or a repeal of, a section or other
 5 provision, the reference shall be considered to be made to
 6 a section or other provision of title 38, United States
 7 Code.

1 **SEC. 3. MODIFICATION OF STANDARD OF VISUAL ACUITY**
2 **REQUIRED FOR ELIGIBILITY FOR SPECIALLY**
3 **ADAPTED HOUSING ASSISTANCE PROVIDED**
4 **BY THE SECRETARY OF VETERANS AFFAIRS.**

5 (a) IN GENERAL.—Section 2101(b)(2)(A) is amend-
6 ed by striking “with 5/200” and all that follows through
7 the period and inserting the following: “with central visual
8 acuity of 20/200 or less in the better eye with the use
9 of standard correcting lenses (for purposes of this sub-
10 paragraph, an eye which is accompanied by a limitation
11 in the fields of vision such that the widest diameter of
12 the visual field subtends an angle no greater than 20 de-
13 grees shall be treated as having a central visual acuity of
14 20/200 or less).”.

15 (b) EFFECTIVE DATE.—The amendment made by
16 subsection (a) shall apply with respect to specially adapted
17 housing assistance provided on or after the date of the
18 enactment of this Act.

19 **SEC. 4. AUTHORITIES REGARDING HOUSING LOANS GUAR-**
20 **ANTEED BY THE DEPARTMENT OF VETERANS**
21 **AFFAIRS.**

22 (a) COVENANTS AND LIENS IN RESPONSE TO DIS-
23 ASTER-RELIEF ASSISTANCE.—Paragraph (3) of section
24 3703(d) is amended to read as follows:

25 “(3)(A) Any real estate housing loan (other than for
26 repairs, alterations, or improvements) shall be secured by

1 a first lien on the realty. In determining whether a loan
2 is so secured, the Secretary may either disregard or allow
3 for subordination to a superior lien that—

4 “(i) is created by a duly recorded covenant run-
5 ning with the realty in favor of—

6 “(I) a public entity that provides assist-
7 ance in response to a major disaster as deter-
8 mined by the President under the Robert T.
9 Stafford Disaster Relief and Emergency Assist-
10 ance Act (42 U.S.C. 5121 et seq.); or

11 “(II) a private entity to secure an obliga-
12 tion to such entity for the homeowner’s share of
13 the costs of the management, operation, or
14 maintenance of property, services, or programs
15 within and for the benefit of the development or
16 community in which the veteran’s realty is lo-
17 cated; and

18 “(ii) the Secretary determines will not prejudice
19 the interests of the veteran borrower and of the Gov-
20 ernment by the operation of such a covenant.

21 “(B) In respect to a superior lien described by sub-
22 paragraph (A) that is created after June 6, 1969, the Sec-
23 retary’s determination must have been made prior to the
24 recordation of the covenant.”.

1 (b) EXTENSION OF AUTHORITY TO POOL LOANS.—
2 Paragraph (2) of section 3720(h) is amended by striking
3 “2011” and inserting “2016”.

4 **SEC. 5. ASSISTANCE FOR FLIGHT TRAINING.**

5 Subsection (e)(1) of section 3032 is amended by
6 striking “60 percent” and inserting “75 percent”.

7 **SEC. 6. SEVEN-YEAR INCREASE IN AMOUNT OF ASSISTANCE**
8 **FOR INDIVIDUALS PURSUING INTERNSHIPS**
9 **OR ON-THE-JOB TRAINING.**

10 During the seven-year period beginning on the date
11 of the enactment of this Act, the Secretary of Veterans
12 Affairs shall apply—

13 (1) section 3032(c)(1) of title 38, United States
14 Code—

15 (A) in subparagraph (A), by substituting
16 “80 percent” for “75 percent”;

17 (B) in subparagraph (B), by substituting
18 “60 percent” for “55 percent”; and

19 (C) in subparagraph (C), by substituting
20 “40 percent” for “35 percent”;

21 (2) section 3233(a) of such title—

22 (A) in paragraph (1), by substituting “80
23 percent” for “75 percent”;

24 (B) in paragraph (2), by substituting “60
25 percent” for “55 percent”; and

1 (C) in paragraph (3), by substituting “40
2 percent” for “35 percent”;

3 (3) section 3687(b)(2) of such title—

4 (A) by substituting “\$603” for “\$574”;

5 (B) by substituting “\$450” for “\$429”;

6 and

7 (C) by substituting “\$299” for “\$285”;

8 and

9 (4) section 16131(d)(1) of title 10, United
10 States Code—

11 (A) in subparagraph (A), by substituting
12 “80 percent” for “75 percent”;

13 (B) in subparagraph (B), by substituting
14 “60 percent” for “55 percent”; and

15 (C) in subparagraph (C), by substituting
16 “40 percent” for “35 percent”.

17 **SEC. 7. EXTENSION OF AUTHORITY FOR CERTAIN QUALI-**
18 **FYING WORK-STUDY ACTIVITIES FOR PUR-**
19 **POSES OF THE EDUCATIONAL ASSISTANCE**
20 **PROGRAMS OF THE DEPARTMENT OF VET-**
21 **ERANS AFFAIRS.**

22 Paragraph (4) of section 3485(a) is amended by
23 striking “June 30, 2013” each place it appears and insert-
24 ing “June 30, 2020”.

1 **SEC. 8. EXPANSION OF WORK-STUDY ALLOWANCE TO IN-**
2 **CLUDE CERTAIN OUTREACH SERVICES CON-**
3 **DUCTED THROUGH CONGRESSIONAL OF-**
4 **FICES.**

5 Section 3485(a)(4) is amended by adding at the end
6 the following new subparagraph:

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

9 “(i) The distribution of information to
10 members of the Armed Forces, veterans, and
11 their dependents about the benefits and services
12 under laws administered by the Secretary and
13 other appropriate governmental and non-gov-
14 ernmental programs.

15 “(ii) The provision of assistance in
16 ascertaining the status of claims (including ap-
17 peals) for benefits under laws administered by
18 the Secretary, as well as other constituent serv-
19 ices for veterans as the Secretary determines
20 appropriate.”.

21 **SEC. 9. TEMPORARY REDUCTION OF REQUIRED AMOUNT**
22 **OF WAGES FOR ON-THE-JOB TRAINING PRO-**
23 **GRAMS.**

24 (a) IN GENERAL.—

1 (1) REDUCING REQUIREMENT.—Section
2 3677(b)(1)(A)(ii) is amended by striking “85 per
3 centum” and inserting “60 percent”.

4 (2) EFFECTIVE DATE.—The amendment made
5 by paragraph (1) shall take effect on October 1,
6 2010, and shall apply to a veteran who enrolls in a
7 program of training on the job approved under sec-
8 tion 3677 of title 38, United States Code, on or
9 after such date.

10 (b) SUNSET.—

11 (1) REVERSION.—Effective October 1, 2013,
12 section 3677(b)(1)(A)(ii) of such title, as amended
13 by subsection (a) of this section, is amended by
14 striking “60 percent” and inserting “85 percent”.

15 (2) APPLICATION.—The amendment made by
16 paragraph (1) shall apply to a veteran who enrolls
17 in a program of training on the job approved under
18 section 3677 of title 38, United States Code, on or
19 after October 1, 2013.

20 (c) GAO REPORT.—Not later than October 1, 2013,
21 the Comptroller General shall submit to the Committee
22 on Veterans’ Affairs of the House of Representatives and
23 the Committee on Veterans’ Affairs of the Senate a report
24 on the effects of eliminating the requirement under section
25 3677(b)(1)(A)(ii) of title 38, United States Code, for a

1 private employer to provide wage increases to veterans en-
2 rolled in a program of training on the job approved under
3 section 3677 of such title.

4 **SEC. 10. REAUTHORIZATION OF VETERANS' ADVISORY**
5 **COMMITTEE ON EDUCATION.**

6 Section 3692(c) is amended by striking “December
7 31, 2013” and inserting “December 31, 2020”.

8 **SEC. 11. REVIEW AND EVALUATION OF NEW TECHNOLOGY.**

9 The Secretary of Veterans Affairs shall establish a
10 team of individuals from appropriate disciplines to be re-
11 sponsible for reviewing new technologies, processes, and
12 products and for determining which such technologies,
13 processes, and products may be beneficial to the Depart-
14 ment of Veterans Affairs or to the veterans served by the
15 Department. Upon completion of the review under this
16 subsection, the team shall submit the review to the Sec-
17 retary, who shall disseminate the review within the De-
18 partment, as appropriate.

19 **SEC. 12. CHILD CARE; PRESIDENT'S BUDGET.**

20 (a) IN GENERAL.—Chapter 31 is amended by adding
21 at the end the following new sections:

22 **“§ 3123. Child care assistance for single parents**

23 “(a) IN GENERAL.—Pursuant to regulations pre-
24 scribed by the Secretary to carry out this section, the Sec-
25 retary shall provide reimbursements for the actual cost of

1 child care provided by a licensed provider to a veteran
2 who—

3 “(1) is participating in a vocational rehabilita-
4 tion program under this chapter;

5 “(2) is the sole caretaker of a child; and

6 “(3) would not otherwise be able to afford such
7 child care.

8 “(b) AMOUNT AND DURATION.—The amount of the
9 reimbursement for the actual cost for child care under this
10 section shall be not more than \$2,000 per month for each
11 month the veteran is participating in a vocational rehabili-
12 tation program under this chapter.

13 **“§ 3124. Information included in support of Presi-
14 dent’s budget**

15 “The Secretary shall include in documents submitted
16 to Congress by the Secretary in support of the President’s
17 budget for each fiscal year submitted under section 1105
18 of title 31, United States Code, the following:

19 “(1) For the calendar year preceding the sub-
20 mission—

21 “(A) the percentage of veterans receiving
22 assistance under this chapter who became em-
23 ployed; and

1 “(B) the percentage of veterans receiving
2 assistance under this chapter who achieved
3 independence in daily living.

4 “(2) Any changes made by the Secretary in
5 measuring or calculating the performance of the de-
6 partment under this chapter.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 at the beginning of such chapter 31 is amended by adding
9 at the end the following:

“3123. Child care assistance for single parents.

“3124. Information included in support of President’s budget.”.

10 **SEC. 13. INCREASE IN AMOUNT OF REPORTING FEE PAY-**
11 **ABLE TO EDUCATIONAL INSTITUTIONS THAT**
12 **ENROLL VETERANS RECEIVING EDU-**
13 **CATIONAL ASSISTANCE.**

14 (a) INCREASE IN AMOUNT OF FEE.—Subsection (c)
15 of section 3684 is amended—

16 (1) by striking “\$7” and inserting “\$16”; and

17 (2) by striking “\$11” and inserting “\$16”.

18 (b) TECHNICAL CORRECTION.—Subsection (a) of
19 such section is amended by striking the second comma
20 after “34”.

21 (c) EFFECTIVE DATE.—The amendments made by
22 subsections (a) and (b) shall take effect on January 1,
23 2011.

1 **SEC. 14. MODIFICATION OF ADVANCE PAYMENT OF INITIAL**
2 **EDUCATIONAL ASSISTANCE OR SUBSISTENCE**
3 **ALLOWANCE.**

4 (a) **MODIFICATION.**—Section 3680(d)(2) is amended
5 by inserting after the third sentence the following new sen-
6 tence: “For purposes of the entitlement to educational as-
7 sistance of the veteran or person receiving an advance pay-
8 ment under this subsection, the advance payment shall be
9 charged against the final month of the entitlement of the
10 person or veteran and, if necessary, the penultimate such
11 month. In no event may any veteran or person receive
12 more than one advance payment under this subsection
13 during any academic year.”.

14 (b) **EFFECTIVE DATE.**—The amendment made by
15 subsection (a) shall apply with respect to an advance pay-
16 ment of educational assistance made on or after Sep-
17 tember 1, 2010.

18 **SEC. 15. INCREASE IN AMOUNT OF SUBSISTENCE ALLOW-**
19 **ANCE PAYABLE TO VETERANS PARTICI-**
20 **PATING IN VOCATIONAL REHABILITATION**
21 **PROGRAM.**

22 (a) **INCREASE IN SUBSISTENCE ALLOWANCE.**—Sec-
23 tion 3108(b)(1) is amended by striking the table and in-
24 serting the following new table:

Column I	Column II	Column III	Column IV	Column V
Type of program	No dependents	One dependent	Two dependents	More than two dependents
.....	The amount in column IV, plus the following for each dependent in excess of two:
Full-time	\$576.01	\$714.50	\$841.98	\$61.37
Three-quarter time.	\$432.80	\$536.65	\$629.50	\$47.19
Half-time	\$289.59	\$358.81	\$421.77	\$31.49.

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) shall apply with respect to a payment made
3 for the third month beginning after the date of the enact-
4 ment of this Act and each subsequent month.

5 **SEC. 16. EXPANSION OF AVAILABILITY OF EMPLOYMENT**
6 **ASSISTANCE ALLOWANCE FOR VETERANS**
7 **USING EMPLOYMENT SERVICES.**

8 Paragraph (2) of section 3108(a) is amended to read
9 as follows:

10 “(2) In the case of a veteran with a service-con-
11 nected disability who the Secretary determines has
12 reached a point of employability and who is partici-
13 pating only in a program of employment services
14 provided under section 3104(a)(5) of this title, the
15 Secretary shall pay the veteran a subsistence allow-
16 ance as prescribed in this section for three months
17 while the veteran is satisfactorily pursuing such pro-
18 gram.”.

1 **SEC. 17. VETERANS ENTREPRENEURIAL DEVELOPMENT**

2 **SUMMIT.**

3 (a) IN GENERAL.—Subchapter II of chapter 81 is
4 amended by adding at the end the following new section:

5 **“§ 8120. Veterans entrepreneurial development sum-**
6 **mit**

7 “(a) VETERANS ENTREPRENEURIAL DEVELOPMENT
8 SUMMIT.—The Secretary may hold an event, once every
9 year, to provide networking opportunities, outreach, edu-
10 cation, training, and support to small business concerns
11 owned and controlled by veterans, veterans service organi-
12 zations, and other entities as determined appropriate by
13 the Secretary.

14 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
15 is authorized to be appropriated to carry out this sub-
16 section \$1,000,000 for each of fiscal years 2011 and
17 2021.”.

18 (b) CLERICAL AMENDMENT.—The table of sections
19 at the beginning of such chapter is amended by adding
20 at the end of the items relating to subchapter II the fol-
21 lowing:

“8120. Veterans entrepreneurial development summit.”.

1 **SEC. 18. INCREASE IN THE MAXIMUM AMOUNT OF SPE-**
2 **CIALLY ADAPTED HOUSING ASSISTANCE AU-**
3 **THORIZED TO BE PROVIDED BY THE SEC-**
4 **RETARY OF VETERANS AFFAIRS.**

5 (a) IN GENERAL.—Section 2102 is amended—

6 (1) in subsection (b)(2), by striking “\$12,000”
7 and inserting “\$13,756”; and

8 (2) in subsection (d)—

9 (A) in paragraph (1), by striking
10 “\$60,000” and inserting “\$65,780”; and

11 (B) in paragraph (2), by striking
12 “\$12,000” and inserting “\$13,756”.

13 (b) EFFECTIVE DATE.—The amendments made by
14 subsection (a) shall apply with respect to assistance fur-
15 nished after the date of the enactment of this Act.

16 **SEC. 19. DEPARTMENT OF VETERANS AFFAIRS HOUSING**
17 **LOANS FOR CONSTRUCTION OF ENERGY EF-**
18 **FICIENT DWELLINGS.**

19 (a) LOANS AUTHORIZED.—Section 3710(d) is
20 amended—

21 (1) in paragraph (1)—

22 (A) by striking “The Secretary” and in-
23 serting “(A) The Secretary”;

24 (B) by striking “for the acquisition of”
25 and all that follows through the end and insert-
26 ing “for any of the following purposes:”;

1 (C) by adding at the end the following new
2 clauses:

3 “(i) The acquisition of an existing dwelling and
4 the cost of making energy efficiency improvements
5 to the dwelling.

6 “(ii) The construction of a new dwelling and
7 the cost of making energy efficiency improvements
8 to the dwelling.

9 “(iii) Energy efficiency improvements to a
10 dwelling owned and occupied by a veteran.”; and

11 (D) by adding at the end the following new
12 subparagraphs:

13 “(B) Except as otherwise provided in this subsection,
14 a loan may be guaranteed under this subsection only if
15 it meets the requirements of this chapter.

16 “(C) The Secretary shall determine appropriate en-
17 ergy efficiency standards for purposes of this subsection
18 and shall require that dwellings purchased, constructed,
19 or improved using a loan guaranteed under this subsection
20 meet such standards.”; and

21 (2) in paragraph (2), by striking subparagraphs
22 (A) and (B) and inserting the following new sub-
23 paragraphs (A) and (B):

24 “(A) five percent of the total established value
25 of the property, dwelling, and improvements; or

1 “(B) \$6,000, or a higher amount specifically
2 provided by the Secretary.”.

3 (b) GUIDANCE.—Not later than 180 days after the
4 date of the enactment of this Act, the Secretary shall issue
5 guidance on appraising the value of energy efficiency im-
6 provements for purposes of section 3710(d) of title 38,
7 United States Code, as amended by this Act.

8 (c) REGULATIONS.—

9 (1) INTERIM POLICY GUIDANCE.—Not later
10 than 90 days after the date of the enactment of this
11 Act, the Secretary of Veterans Affairs shall prescribe
12 interim policy guidance on energy efficiency audits
13 and the conditions under which the performance of
14 such audits may be included in the amount guaran-
15 teed by the Secretary under section 3710(d) of title
16 38, United States Code, as amended by subsection
17 (a).

18 (2) REGULATIONS.—Not later than one year
19 after the date of the enactment of this Act, the Sec-
20 retary shall prescribe regulations to carry out the
21 amendments made by subsection (a).

22 (3) ENERGY EFFICIENCY AUDIT DEFINED.—
23 For purposes of this subsection, the term “energy
24 efficiency audit” means a measurement of the ef-
25 fects of an improvement made to a dwelling for the

1 purpose of reducing energy consumption or increas-
2 ing energy efficiency that is carried out by a cer-
3 tified professional auditor, as determined by the Sec-
4 retary.

5 (d) EFFECTIVE DATE.—The amendments made by
6 subsections (a) and (b) shall apply with respect to a loan
7 secured on or after January 1, 2011.

8 **SEC. 20. PILOT PROGRAM ON SPECIALLY ADAPTED HOUS-**
9 **ING ASSISTANCE FOR VETERANS RESIDING**
10 **TEMPORARILY IN HOUSING OWNED BY A**
11 **FAMILY MEMBER.**

12 (a) TREATMENT OF CERTAIN LIMITATIONS.—Not-
13 withstanding subsection (d) of section 2102 of title 38,
14 United States Code, and subject to subsection (b), a grant
15 under section 2102A of such title shall not count toward
16 the dollar amount limitations specified in that subsection.

17 (b) TERMINATION.—Subsection (a) shall apply only
18 to the first 25 grants made during fiscal year 2012.

○