

In the House of Representatives, U. S.,

December 10, 2018.

Resolved, That the bill from the Senate (S. 2248) entitled “An Act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide certain burial benefits for spouses and children of veterans who are buried in tribal cemeteries, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

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

2 (a) *SHORT TITLE.*—*This Act may be cited as the “Vet-*
3 *erans Benefits and Transition Act of 2018”.*

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

Sec. 1. Short title; table of contents.

TITLE I—EDUCATION

Sec. 101. Inclusion of certain additional periods of active duty service for purposes of suspension of charges to entitlement during periods of suspended participation in Department of Veterans Affairs vocational rehabilitation programs.

Sec. 102. Provision of monthly housing stipend information under Post-9/11 Educational Assistance Program.

Sec. 103. Disapproval for purposes of educational assistance programs of Department of Veterans Affairs of certain courses of education that do not permit individuals to attend or participate in courses pending payment.

Sec. 104. Provision of information on required additional actions to allow individuals to stay enrolled in courses of education pending receipt of educational assistance from department of veterans affairs.

Sec. 105. Calculation of monthly housing stipend under high technology pilot program based on location of campus where veteran attends classes.

Sec. 106. Clarification regarding applicability of authority to use educational assistance to pursue independent study programs at certain educational institutions that are not institutions of higher learning.

TITLE II—MEMORIAL AFFAIRS

Sec. 201. Eligibility of spouses and children of veterans buried in tribal cemeteries for certain Department of Veterans Affairs burial benefits.

Sec. 202. Department of Veterans Affairs provision of headstones and markers for, and interment in national cemeteries of, spouses and dependent children of members of the Armed Forces serving on active duty.

TITLE III—CIVIL RELIEF

Sec. 301. Termination of leases of premises of deceased servicemembers who die while in military service.

Sec. 302. Residence of spouses of servicemembers for tax purposes.

Sec. 303. Residence of spouses of servicemembers for voting.

Sec. 304. Termination of multichannel video programming and internet access service contracts.

TITLE IV—TRANSITION ASSISTANCE

Sec. 401. Study of community-based transition assistance programs for members of the Armed Forces after separation, retirement, or discharge.

TITLE V—DEPARTMENTAL ADMINISTRATION

Sec. 501. Misuse of Department of Veterans Affairs purchase cards by Department employees.

Sec. 502. Updating dependent information.

Sec. 503. Oversight of Electronic Health Record Modernization Program.

Sec. 504. Department of Veterans Affairs notice relating to debt collection activities.

TITLE VI—MEDICAL FACILITIES

Sec. 601. Authorization of major medical facility projects for fiscal year 2019.

Sec. 602. Plans to improve medical facilities of the Department of Veterans Affairs.

TITLE VII—OTHER MATTERS

Sec. 701. Homeless veterans reintegration programs.

Sec. 702. Technical corrections.

Sec. 703. Medical Surgical Prime Vendor program.

Sec. 704. Report on expanding access to dental care for veterans eligible for health care from the Department of Veterans Affairs.

TITLE I—EDUCATION

***SEC. 101. INCLUSION OF CERTAIN ADDITIONAL PERIODS OF
ACTIVE DUTY SERVICE FOR PURPOSES OF
SUSPENSION OF CHARGES TO ENTITLEMENT
DURING PERIODS OF SUSPENDED PARTICIPA-
TION IN DEPARTMENT OF VETERANS AFFAIRS
VOCATIONAL REHABILITATION PROGRAMS.***

*Section 3105(e)(2) of title 38, United States Code, is
amended by striking “or 12304” and inserting “12304,
12304a, or 12304b”.*

***SEC. 102. PROVISION OF MONTHLY HOUSING STIPEND IN-
FORMATION UNDER POST-9/11 EDUCATIONAL
ASSISTANCE PROGRAM.***

*Section 3313 of title 38, United States Code, is amend-
ed by adding at the end the following new subsection:*

*“(k) PROVISION OF HOUSING STIPEND PAYMENT IN-
FORMATION.—*

*“(1) IN GENERAL.—The Secretary shall furnish
to individuals receiving educational assistance under
this chapter documentation that verifies the amount
of the monthly housing stipend the individual receives
under this section.*

*“(2) MANNER.—The Secretary shall make such
documentation available to the individual using an
internet website in the same manner the Secretary*

1 *provides documentation verifying compensation and*
 2 *other benefits furnished by the Secretary to individ-*
 3 *uals.”.*

4 **SEC. 103. DISAPPROVAL FOR PURPOSES OF EDUCATIONAL**
 5 **ASSISTANCE PROGRAMS OF DEPARTMENT OF**
 6 **VETERANS AFFAIRS OF CERTAIN COURSES OF**
 7 **EDUCATION THAT DO NOT PERMIT INDIVID-**
 8 **UALS TO ATTEND OR PARTICIPATE IN**
 9 **COURSES PENDING PAYMENT.**

10 *(a) IN GENERAL.—Section 3679 of title 38, United*
 11 *States Code, is amended by adding at the end the following*
 12 *new subsection:*

13 *“(e)(1) Notwithstanding any other provision of this*
 14 *chapter, beginning on August 1, 2019, a State approving*
 15 *agency, or the Secretary when acting in the role of the State*
 16 *approving agency, shall disapprove a course of education*
 17 *provided by an educational institution that has in effect*
 18 *a policy that is inconsistent with any of the following:*

19 *“(A) A policy that permits any covered indi-*
 20 *vidual to attend or participate in the course of edu-*
 21 *cation during the period beginning on the date on*
 22 *which the individual provides to the educational in-*
 23 *stitution a certificate of eligibility for entitlement to*
 24 *educational assistance under chapter 31 or 33 of this*
 25 *title and ending on the earlier of the following dates:*

1 “(i) *The date on which the Secretary pro-*
2 *vides payment for such course of education to*
3 *such institution.*

4 “(ii) *The date that is 90 days after the date*
5 *on which the educational institution certifies for*
6 *tuition and fees following receipt from the stu-*
7 *dent such certificate of eligibility.*

8 “(B) *A policy that ensures that the educational*
9 *institution will not impose any penalty, including the*
10 *assessment of late fees, the denial of access to classes,*
11 *libraries, or other institutional facilities, or the re-*
12 *quirement that a covered individual borrow addi-*
13 *tional funds, on any covered individual because of the*
14 *individual’s inability to meet his or her financial ob-*
15 *ligations to the institution due to the delayed dis-*
16 *bursement of a payment to be provided by the Sec-*
17 *retary under chapter 31 or 33 of this title.*

18 “(2) *For purposes of this subsection, a covered indi-*
19 *vidual is any individual who is entitled to educational as-*
20 *sistance under chapter 31 or 33 of this title.*

21 “(3) *The Secretary may waive such requirements of*
22 *paragraph (1) as the Secretary considers appropriate.*

23 “(4) *It shall not be inconsistent with a policy described*
24 *in paragraph (1) for an educational institution to require*

1 *a covered individual to take the following additional ac-*
2 *tions:*

3 “(A) *Submit a certificate of eligibility for enti-*
4 *tlement to educational assistance not later than the*
5 *first day of a course of education for which the indi-*
6 *vidual has indicated the individual wishes to use the*
7 *individual’s entitlement to educational assistance.*

8 “(B) *Submit a written request to use such enti-*
9 *tlement.*

10 “(C) *Provide additional information necessary*
11 *to the proper certification of enrollment by the edu-*
12 *cational institution.”.*

13 *(b) PROMPT PAYMENTS.—*

14 *(1) IN GENERAL.—The Secretary of Veterans Af-*
15 *airs shall take such actions as may be necessary to*
16 *ensure that the Secretary makes a payment to an*
17 *educational institution on behalf of an individual,*
18 *who is entitled to educational assistance under chap-*
19 *ter 31 or 33 of title 38, United States Code, and who*
20 *is using such assistance to pursue a program of edu-*
21 *cation at the educational institution, not later than*
22 *60 days after the date on which the educational insti-*
23 *tution certifies to the Secretary the applicable tuition*
24 *and fees for the individual.*

1 (2) *SEMIANNUAL REPORTS.*—Not later than May
2 1 and October 1 of each year, the Secretary shall sub-
3 mit to the Committee on Veterans' Affairs of the Sen-
4 ate and the Committee on Veterans' Affairs of the
5 House of Representatives a semiannual report sum-
6 marizing any cases in which the Secretary failed to
7 make a payment described in paragraph (1) within
8 the period set forth in such paragraph and an expla-
9 nation for each delayed disbursement of payment.

10 (c) *RULE OF CONSTRUCTION.*—In a case in which an
11 individual is unable to meet a financial obligation to an
12 educational institution due to the delayed disbursement of
13 a payment to be provided by the Secretary under chapter
14 31 or 33 of such title and the amount of such disbursement
15 is less than anticipated, nothing in section 3679(e) of such
16 title, as added by subsection (a), shall be construed to pro-
17 hibit an educational institution from requiring additional
18 payment or imposing a fee for the amount that is the dif-
19 ference between the amount of the financial obligation and
20 the amount of the disbursement.

1 **SEC. 104. PROVISION OF INFORMATION ON REQUIRED AD-**
 2 **DITIONAL ACTIONS TO ALLOW INDIVIDUALS**
 3 **TO STAY ENROLLED IN COURSES OF EDU-**
 4 **CATION PENDING RECEIPT OF EDUCATIONAL**
 5 **ASSISTANCE FROM DEPARTMENT OF VET-**
 6 **ERANS AFFAIRS.**

7 *Section 3698(c)(1)(C) of title 38, United States Code,*
 8 *is amended—*

9 *(1) in clause (x), by striking “; and” and insert-*
 10 *ing a semicolon;*

11 *(2) in clause (xi), by striking the period at the*
 12 *end and inserting “; and”; and*

13 *(3) by adding at the end the following new*
 14 *clause:*

15 *“(xii) information on whether the institu-*
 16 *tion requires a covered individual to take addi-*
 17 *tional action pursuant to section 3679(e)(4) of*
 18 *this title to stay enrolled in a course pending re-*
 19 *ceipt of educational assistance under a law ad-*
 20 *ministered by the Secretary.”.*

1 **SEC. 105. CALCULATION OF MONTHLY HOUSING STIPEND**
 2 **UNDER HIGH TECHNOLOGY PILOT PROGRAM**
 3 **BASED ON LOCATION OF CAMPUS WHERE**
 4 **VETERAN ATTENDS CLASSES.**

5 *Section 116(d)(1) of the Harry W. Colmery Veterans*
 6 *Educational Assistance Act of 2017 (Public Law 115–48,*
 7 *38 U.S.C. 3001 (note)), is amended—*

8 *(1) in subparagraph (A), by striking “the insti-*
 9 *tution at which the individual is enrolled” and in-*
 10 *serting “the campus of the institution where the indi-*
 11 *vidual physically participates in a majority of class-*
 12 *es”; and*

13 *(2) in subparagraph (B), by striking “the*
 14 *amount payable” and all that follows through “sub-*
 15 *paragraph (A)” and inserting “the national average*
 16 *of the monthly amount of the basic allowance for*
 17 *housing payable under section 403 of title 37, United*
 18 *States Code, for a member with dependents in pay*
 19 *grade E–5”.*

1 **SEC. 106. CLARIFICATION REGARDING APPLICABILITY OF**
 2 **AUTHORITY TO USE EDUCATIONAL ASSIST-**
 3 **ANCE TO PURSUE INDEPENDENT STUDY PRO-**
 4 **GRAMS AT CERTAIN EDUCATIONAL INSTITU-**
 5 **TIONS THAT ARE NOT INSTITUTIONS OF**
 6 **HIGHER LEARNING.**

7 *The section heading for section 302 of the Harry W.*
 8 *Colmery Veterans Educational Assistance Act of 2017 (Pub-*
 9 *lic Law 115–48; 131 Stat. 990) is amended to read as fol-*
 10 *lows (and the table of contents for such Act is conformed*
 11 *accordingly):*

12 **“SEC. 302. AUTHORIZATION FOR USE OF EDUCATIONAL AS-**
 13 **SISTANCE UNDER ANY OF THE EDUCATIONAL**
 14 **ASSISTANCE PROGRAMS OF THE DEPART-**
 15 **MENT OF VETERANS AFFAIRS TO PURSUE**
 16 **INDEPENDENT STUDY PROGRAMS AT CER-**
 17 **TAIN EDUCATIONAL INSTITUTIONS THAT ARE**
 18 **NOT INSTITUTIONS OF HIGHER LEARNING.”.**

19 **TITLE II—MEMORIAL AFFAIRS**

20 **SEC. 201. ELIGIBILITY OF SPOUSES AND CHILDREN OF VET-**
 21 **ERANS BURIED IN TRIBAL CEMETERIES FOR**
 22 **CERTAIN DEPARTMENT OF VETERANS AF-**
 23 **FAIRS BURIAL BENEFITS.**

24 *Section 2306 of title 38, United States Code, is amend-*
 25 *ed—*

1 (1) in subsection (a)(4), by inserting “or a vet-
 2 erans’ cemetery owned by a tribal organization or on
 3 land owned by or held in trust for a tribal organiza-
 4 tion” after “State”;

5 (2) in subsection (b)(1), by inserting “, a vet-
 6 erans’ cemetery of a tribal organization or on land
 7 owned by or held in trust for a tribal organization”
 8 after “owned by a State”;

9 (3) in subsection (f)—

10 (A) by redesignating paragraphs (1) and
 11 (2) as subparagraphs (A) and (B), respectively;

12 (B) by striking “The Secretary” and insert-
 13 ing “(1) The Secretary”;

14 (C) by striking “a national cemetery or in
 15 a veterans cemetery of a State or tribal organi-
 16 zation for which the Department has provided a
 17 grant under section 2408 of this title” and in-
 18 serting “a covered cemetery”; and

19 (D) by adding at the end the following:

20 “(2) The term ‘covered cemetery’ means any of the fol-
 21 lowing:

22 “(A) A national cemetery.

23 “(B) A veterans’ cemetery of a State for which
 24 the Department has provided a grant under section
 25 2408 of this title.

1 “(C) *A veterans’ cemetery of a tribal organiza-*
 2 *tion or on land owned by or held in trust for a tribal*
 3 *organization for which the Department has provided*
 4 *a grant under subsection (f) of such section.”; and*

5 *(4) by adding at the end the following new sub-*
 6 *section:*

7 “(i) *In this section, the term ‘tribal organization’ has*
 8 *the meaning given such term in section 3765 of this title.”.*

9 **SEC. 202. DEPARTMENT OF VETERANS AFFAIRS PROVISION**
 10 **OF HEADSTONES AND MARKERS FOR, AND IN-**
 11 **TERMENT IN NATIONAL CEMETERIES OF,**
 12 **SPOUSES AND DEPENDENT CHILDREN OF**
 13 **MEMBERS OF THE ARMED FORCES SERVING**
 14 **ON ACTIVE DUTY.**

15 *(a) HEADSTONES AND MARKERS.—Section 2306(b)(2)*
 16 *of title 38, United States Code, is amended—*

17 *(1) in subparagraph (B), by inserting “, or the*
 18 *spouse of a member of the Armed Forces serving on*
 19 *active duty under conditions other than dishonorable,*
 20 *as shown by a statement from a general court-martial*
 21 *convening authority, at the time of the spouse’s death*
 22 *if such death occurs before October 1, 2024” after*
 23 *“veteran”; and*

24 *(2) in subparagraph (C), by inserting “, or the*
 25 *eligible dependent child of a member of the Armed*

1 *Forces serving on active duty under conditions other*
 2 *than dishonorable, as shown by a statement from a*
 3 *general court-martial convening authority, at the*
 4 *time of the child’s death if such death occurs before*
 5 *October 1, 2024” after “veteran”.*

6 *(b) INTERMENT IN NATIONAL CEMETERIES.—Section*
 7 *2402(a)(5) of such title is amended by inserting “, and the*
 8 *spouse, minor child, and, in the discretion of the Secretary,*
 9 *unmarried adult child of a member of the Armed Forces*
 10 *serving on active duty under conditions other than dishon-*
 11 *orable, as shown by a statement from a general court-mar-*
 12 *tial convening authority, at the time of the spouse’s or*
 13 *child’s death if such death occurs before October 1, 2024”*
 14 *after “paragraph (7)”.*

15 ***TITLE III—CIVIL RELIEF***

16 ***SEC. 301. TERMINATION OF LEASES OF PREMISES OF DE-*** 17 ***CEASED SERVICEMEMBERS WHO DIE WHILE*** 18 ***IN MILITARY SERVICE.***

19 *Section 305(a) of the Servicemembers Civil Relief Act*
 20 *(50 U.S.C. 3955) is amended—*

21 *(1) in the subsection heading, by striking “BY*
 22 *LESSEE”;*

23 *(2) in the heading for paragraph (1), by striking*
 24 *“IN GENERAL” and inserting “TERMINATION BY LES-*
 25 *SEE”; and*

1 (3) *by adding at the end the following new para-*
 2 *graph:*

3 “(3) *DEATH OF LESSEE.—The spouse of the les-*
 4 *see on a lease described in subsection (b)(1) may ter-*
 5 *minate the lease during the one-year period beginning*
 6 *on the date of the death of the lessee, if the lessee dies*
 7 *while in military service or while performing full-*
 8 *time National Guard duty, active Guard and Reserve*
 9 *duty, or inactive-duty training (as such terms are de-*
 10 *finied in section 101(d) of title 10, United States*
 11 *Code).”.*

12 **SEC. 302. RESIDENCE OF SPOUSES OF SERVICEMEMBERS**
 13 **FOR TAX PURPOSES.**

14 (a) *RESIDENCE FOR TAX PURPOSES.—Section*
 15 *511(a)(2) of the Servicemembers Civil Relief Act (50 U.S.C.*
 16 *4001(a)(2)) is amended—*

17 (1) *by striking “A spouse” and inserting the fol-*
 18 *lowing:*

19 “(A) *IN GENERAL.—A spouse*”; and

20 (2) *by adding at the end the following new sub-*
 21 *paragraph:*

22 “(B) *ELECTION.—For any taxable year of*
 23 *the marriage, the spouse of a servicemember may*
 24 *elect to use the same residence for purposes of*
 25 *taxation as the servicemember regardless of the*

1 *date on which the marriage of the spouse and the*
 2 *servicemember occurred.”.*

3 **(b) APPLICABILITY.**—*The amendments made by sub-*
 4 *section (a) shall apply with respect to any return of State*
 5 *or local income tax filed for any taxable year beginning*
 6 *with the taxable year that includes the date of the enactment*
 7 *of this Act.*

8 **SEC. 303. RESIDENCE OF SPOUSES OF SERVICEMEMBERS**
 9 **FOR VOTING.**

10 **(a) IN GENERAL.**—*Section 705(b) of the*
 11 *Servicemembers Civil Relief Act (50 U.S.C. 4025(b)) is*
 12 *amended—*

13 *(1) by striking “State or local office” and all*
 14 *that follows through the period at the end of para-*
 15 *graph (3) and inserting “State or local office—”; and*

16 *(2) by adding at the end the following new para-*
 17 *graphs:*

18 *“(1) a person who is absent from a State because*
 19 *the person is accompanying the person’s spouse who*
 20 *is absent from that same State in compliance with*
 21 *military or naval orders shall not, solely by reason of*
 22 *that absence—*

23 *“(A) be deemed to have lost a residence or*
 24 *domicile in that State, without regard to whether*
 25 *or not the person intends to return to that State;*

1 “(B) be deemed to have acquired a residence
2 or domicile in any other State; or

3 “(C) be deemed to have become a resident in
4 or a resident of any other State; and

5 “(2) the spouse of a servicemember may elect to
6 use the same residence as the servicemember regardless
7 of the date on which the marriage of the spouse and
8 the servicemember occurred.”.

9 (b) *EFFECTIVE DATE.*—The amendments made by sub-
10 section (a) shall take effect on the date that is 90 days after
11 the date of the enactment of this Act.

12 **SEC. 304. TERMINATION OF MULTICHANNEL VIDEO PRO-**
13 **GRAMMING AND INTERNET ACCESS SERVICE**
14 **CONTRACTS.**

15 (a) *IN GENERAL.*—Section 305A of the
16 Servicemembers Civil Relief Act (50 U.S.C. 3956) is amend-
17 ed—

18 (1) in the section heading, by inserting “, **MUL-**
19 **TICHANNEL VIDEO PROGRAMMING, AND INTER-**
20 **NET ACCESS**” after “**TELEPHONE**”;

21 (2) in subsection (b), by striking “cellular tele-
22 phone service or telephone exchange service” and in-
23 serting “commercial mobile service, telephone ex-
24 change service, internet access service, or multi-
25 channel video programming service”;

1 (3) in subsection (c), by inserting “for commer-
 2 cial mobile service or telephone exchange service” be-
 3 fore “terminated”;

4 (4) in subsection (d), in the matter preceding
 5 paragraph (1), by striking “cellular telephone service”
 6 and inserting “commercial mobile service”;

7 (5) in subsection (e)—

8 (A) by striking “For any” and inserting the
 9 following:

10 “(1) *IN GENERAL.*—For any”;

11 (B) by striking “If the” and inserting the
 12 following:

13 “(2) *REINSTATEMENT OF SERVICE.*—If the”; and

14 (C) by adding at the end the following:

15 “(3) *RETURN OF PROVIDER-OWNED EQUIP-*
 16 *MENT.*—If a servicemember terminates a contract
 17 under subsection (a), the servicemember shall return
 18 any provider-owned consumer premises equipment to
 19 the service provider not later than 10 days after the
 20 date on which service is disconnected.”; and

21 (6) in subsection (g)—

22 (A) by redesignating paragraph (2) as
 23 paragraph (4); and

24 (B) by striking paragraph (1) and inserting
 25 the following:

1 “(1) The term ‘commercial mobile service’ has
2 the meaning given that term in section 332(d) of the
3 Communications Act of 1934 (47 U.S.C. 332(d)).

4 “(2) The term ‘multichannel video programming
5 service’ means a subscription video service offered by
6 a multichannel video programming distributor, as
7 that term is defined in section 602 of the Communica-
8 tions Act of 1934 (47 U.S.C. 522), over a system the
9 distributor owns or controls.

10 “(3) The term ‘provider-owned consumer prem-
11 ises equipment’ means any equipment that a provider
12 of internet access service or multichannel video pro-
13 gramming service rents or loans to a customer during
14 the provision of that service, including gateways,
15 routers, cable modems, voice-capable modems,
16 CableCARDs, converters, digital adapters, remote con-
17 trols, and any other equipment provided.”.

18 (b) CLERICAL AMENDMENTS.—

19 (1) TITLE HEADING.—The heading for title III
20 of the Servicemembers Civil Relief Act is amended by
21 striking “**TELEPHONE**” and inserting “**COM-**
22 **MUNICATIONS**”.

23 (2) TABLE OF CONTENTS.—The table of contents
24 in section 1(b) of the Servicemembers Civil Relief Act
25 is amended—

1 (A) by striking the item relating to title III
2 and inserting the following new item:

“TITLE III—RENT, INSTALLMENT CONTRACTS, MORTGAGES, LIENS,
ASSIGNMENT, LEASES, COMMUNICATIONS SERVICE CONTRACTS”;

3 and

4 (B) by striking the item relating to section
5 305A and inserting the following new item:

“Sec. 305A. Termination of telephone, multichannel video programming, and
internet access service contracts.”.

6 **TITLE IV—TRANSITION** 7 **ASSISTANCE**

8 **SEC. 401. STUDY OF COMMUNITY-BASED TRANSITION AS-** 9 **SISTANCE PROGRAMS FOR MEMBERS OF THE** 10 **ARMED FORCES AFTER SEPARATION, RETIRE-** 11 **MENT, OR DISCHARGE.**

12 (a) *STUDY.*—The Secretary of Veterans Affairs, in con-
13 sultation with State entities that serve members of the
14 Armed Forces who are retired, separated, or discharged
15 from the Armed Forces, shall enter into an agreement with
16 an appropriate non-Federal entity to carry out a study to
17 identify community-based programs—

18 (1) that provide transition assistance to such
19 members; and

20 (2) operated by nonprofit entities.

21 (b) *TRANSMISSION TO MEMBERS.*—The Secretary of
22 Veterans Affairs shall transmit the list of programs identi-
23 fied under this section to the Secretary of Defense so the

1 *Secretaries of the military departments may provide infor-*
 2 *mation in the list to members of the Armed Forces who par-*
 3 *ticipate in the Transition Assistance Program under sec-*
 4 *tions 1142 and 1144 of title 10, United States Code.*

5 *(c) ONLINE PUBLICATION.—The Secretary of Veterans*
 6 *Affairs shall publish the most recent version of the list of*
 7 *programs identified under this section on a public website*
 8 *of the Department of Veterans Affairs.*

9 ***TITLE V—DEPARTMENTAL***
 10 ***ADMINISTRATION***

11 ***SEC. 501. MISUSE OF DEPARTMENT OF VETERANS AFFAIRS***
 12 ***PURCHASE CARDS BY DEPARTMENT EMPLOY-***
 13 ***EES.***

14 *(a) IN GENERAL.—Subchapter I of chapter 7 of title*
 15 *38, United States Code, is further amended by adding at*
 16 *the end the following new section:*

17 ***“§ 728. Misuse of Department purchase cards***

18 *“(a) IN GENERAL.—(1) The Secretary shall prohibit*
 19 *any employee of the Department who the Secretary or the*
 20 *Inspector General of the Department determines has know-*
 21 *ingly misused a purchase card from serving as a purchase*
 22 *card holder or approving official.*

23 *“(2) Such a prohibition shall be in addition to any*
 24 *other applicable penalty.*

1 “(b) *MISUSE.*—For purposes of this section, the term
2 ‘misuse’ means—

3 “(1) *splitting purchases;*

4 “(2) *exceeding applicable purchase card limits or*
5 *purchase thresholds;*

6 “(3) *purchasing any unauthorized item;*

7 “(4) *using a purchase card without being an au-*
8 *thorized purchase card holder; or*

9 “(5) *violating ethics standards.”.*

10 (b) *CLERICAL AMENDMENT.*—The table of sections at
11 *the beginning of such chapter is amended by inserting after*
12 *the item relating to section 728 the following new item:*

 “728. *Misuse of Department purchase cards.”.*

13 **SEC. 502. UPDATING DEPENDENT INFORMATION.**

14 *The Secretary of Veterans Affairs shall make such*
15 *changes to such information technology systems of the De-*
16 *partment of Veterans Affairs, including the eBenefits system*
17 *or successor system, as may be necessary so that whenever*
18 *the Secretary records in such systems information about a*
19 *dependent of a person, the person is able to review and re-*
20 *visé such information.*

21 **SEC. 503. OVERSIGHT OF ELECTRONIC HEALTH RECORD**
22 **MODERNIZATION PROGRAM.**

23 (a) *PROGRAM DOCUMENTS.*—Not later than 30 days
24 *after the date of the enactment of this Act, the Secretary*
25 *of Veterans Affairs shall submit to the appropriate congres-*

1 sional committees the following documents concerning the

2 *Electronic Health Record Modernization Program:*

3 (1) *Integrated Master Plan.*

4 (2) *Integrated Master Schedule.*

5 (3) *Program Management Plan.*

6 (4) *Annual and lifecycle cost estimates, includ-*

7 *ing, at a minimum, cost elements relating to—*

8 (A) *Federal Government labor;*

9 (B) *contractor labor;*

10 (C) *hardware;*

11 (D) *software; and*

12 (E) *testing and evaluation.*

13 (5) *Cost baseline.*

14 (6) *Risk Management Plan.*

15 (7) *Health IT Strategic Architecture Plan.*

16 (8) *Transition Plan for implementing updated*

17 *architecture.*

18 (9) *Data Migration Plan.*

19 (10) *System and Data Security Plan.*

20 (11) *Application Implementation Plan.*

21 (12) *System Design Documents.*

22 (13) *Legacy Veterans Information Systems and*

23 *Technology Architecture Standardization, Security*

24 *Enhancement, and Consolidation Project Plan.*

1 (14) *Health Data Interoperability Management*
2 *Plan.*

3 (15) *Community Care Vision and Implementa-*
4 *tion Plan, including milestones and a detailed de-*
5 *scription of how complete interoperability with non-*
6 *Department health care providers will be achieved.*

7 (b) *QUARTERLY UPDATES.*—*Not later than 30 days*
8 *after the end of each fiscal quarter during the period begin-*
9 *ning with the fiscal quarter in which this Act is enacted*
10 *and ending on the date on which the Electronic Health*
11 *Record Modernization Program is completed, the Secretary*
12 *shall submit to the appropriate congressional committees*
13 *the most recent updated versions, if any exist, of the fol-*
14 *lowing documents:*

15 (1) *Integrated Master Schedule.*

16 (2) *Program Management Plan, including any*
17 *written Program Management Review material devel-*
18 *oped for the Program Management Plan during the*
19 *fiscal quarter covered by the submission.*

20 (3) *Each document described in subsection*
21 (a)(4).

22 (4) *Performance Baseline Report for the fiscal*
23 *quarter covered by the submission or for the fiscal*
24 *quarter ending the fiscal year prior to the submission.*

25 (5) *Budget Reconciliation Report.*

1 (6) *Risk Management Plan and Risk Register.*

2 (c) *CONTRACTS.*—*Not later than 5 days after award-*
 3 *ing a contract, order, or agreement, including any modi-*
 4 *fications thereto, under the Electronic Health Record Mod-*
 5 *ernization Program, the Secretary shall submit to the ap-*
 6 *propriate congressional committees a copy of the entire such*
 7 *contract, order, agreement, or modification.*

8 (d) *NOTIFICATION.*—

9 (1) *REQUIREMENT.*—*Not later than 10 days*
 10 *after an event described in paragraph (2) occurs, the*
 11 *Secretary shall notify the appropriate congressional*
 12 *committees of such occurrence, including a description*
 13 *of the event and an explanation for why such event*
 14 *occurred.*

15 (2) *EVENT DESCRIBED.*—*An event described in*
 16 *this paragraph is any of the following events regard-*
 17 *ing the Electronic Health Record Modernization Pro-*
 18 *gram:*

19 (A) *The delay of any milestone or deliver-*
 20 *able by 30 or more days.*

21 (B) *A request for equitable adjustment, eq-*
 22 *uitable adjustment, or change order exceeding*
 23 *\$1,000,000 (as such terms are defined in the*
 24 *Federal Acquisition Regulation).*

1 (C) *The submission of any protest, claim, or*
 2 *dispute, and the resolution of any protest, claim,*
 3 *or dispute (as such terms are defined in the Fed-*
 4 *eral Acquisition Regulation).*

5 (D) *A loss of clinical or other data.*

6 (E) *A breach of patient privacy, including*
 7 *any—*

8 (i) *disclosure of protected health infor-*
 9 *mation that is not permitted under regula-*
 10 *tions promulgated under section 264(c) of*
 11 *the Health Insurance Portability and Ac-*
 12 *countability Act of 1996 (Public Law 104–*
 13 *191; 42 U.S.C. 1320d–2 note); and*

14 (ii) *breach of sensitive personal infor-*
 15 *mation (as defined in section 5727 of title*
 16 *38, United States Code).*

17 (e) *DEFINITIONS.—In this section:*

18 (1) *The term “appropriate congressional com-*
 19 *mittees” means—*

20 (A) *the Committees on Veterans’ Affairs of*
 21 *the House of Representatives and the Senate; and*

22 (B) *the Committees on Appropriations of*
 23 *the House of Representatives and the Senate.*

24 (2) *The term “Electronic Health Record Mod-*
 25 *ernization Program” means—*

(A) any activities by the Department of Veterans Affairs to procure or implement an electronic health or medical record system to replace any or all of the Veterans Information Systems and Technology Architecture, the Computerized Patient Record System, the Joint Legacy Viewer, or the Enterprise Health Management Platform; and

(B) any contracts or agreements entered into by the Secretary of Veterans Affairs to carry out, support, or analyze the activities under subparagraph (A).

SEC. 504. DEPARTMENT OF VETERANS AFFAIRS NOTICE RELATING TO DEBT COLLECTION ACTIVITIES.

(a) **DEBT NOTIFICATION LETTER FORMATS.**—The Secretary of Veterans Affairs shall collaborate with veterans service organizations to develop a standard format for any letter provided to an individual who the Secretary determines is indebted to the United States by virtue of such individual's participation in a benefits program administered by the Secretary. Such letter shall be written in plain language and shall include a notice of the debt and a clear explanation of—

- 1 (1) *why the individual is indebted to the United*
 2 *States by virtue of such person's participation in a*
 3 *benefits program administered by the Secretary; and*
 4 (2) *the options available to the individual.*

5 (b) *DELIVERY OF DEBT NOTICES BY STANDARD MAIL*
 6 *AND ELECTRONIC MEANS.*—*The Secretary shall develop a*
 7 *method by which individuals may elect to receive notice of*
 8 *debt by electronic means and shall ensure, to the extent*
 9 *practicable, that the letter developed under subsection (a)*
 10 *is delivered—*

11 (1) *by both standard mail and by electronic*
 12 *means to intended recipients who have made such an*
 13 *election; and*

14 (2) *only by standard mail to intended recipients*
 15 *who have not made such an election.*

16 (c) *NOTICE TO CONGRESS.*—

17 (1) *NOTICES OF COMPLETION.*—*Upon completion*
 18 *of the development of the standard letter format re-*
 19 *quired under subsection (a) and upon completion of*
 20 *development of the method by which individuals may*
 21 *elect to receive notice of debt by electronic means*
 22 *under subsection (b), the Secretary shall submit to*
 23 *Congress notice of the completion of the respective de-*
 24 *velopment.*

1 (2) *PROGRESS REPORTS.*—*If the Secretary has*
 2 *not submitted each notice required by paragraph (1)*
 3 *by the date that is 90 days after the date of the enact-*
 4 *ment of this Act, the Secretary shall—*

5 *(A) submit to Congress a report describing*
 6 *the progress of the Secretary toward imple-*
 7 *menting subsections (a) and (b) and an expla-*
 8 *nation for why the respective development has*
 9 *not been completed; and*

10 *(B) every 30 days thereafter until all of the*
 11 *notices required by paragraph (1) have been sub-*
 12 *mitted, submit to Congress an update to the re-*
 13 *port under subparagraph (A) that includes an*
 14 *additional explanation for the failure to complete*
 15 *the respective development.*

16 (d) *STUDY AND REPORT.*—

17 (1) *STUDY.*—*The Secretary of Veterans Affairs,*
 18 *in coordination with the Secretary of the Treasury,*
 19 *shall conduct a study on the process by which indi-*
 20 *viduals who are indebted to the United States by vir-*
 21 *tue of their participation in a benefits program ad-*
 22 *ministered by the Secretary of Veterans Affairs are*
 23 *notified of debt collection efforts relating to such in-*
 24 *debtedness.*

1 (2) *ELEMENTS.*—*The study required by para-*
2 *graph (1) shall include the following:*

3 (A) *An analysis of the scope of the problem*
4 *of individuals who are indebted to the United*
5 *States by virtue of their participation in a bene-*
6 *fits program administered by the Secretary of*
7 *Veterans Affairs not receiving debt collection no-*
8 *tices relating to such indebtedness.*

9 (B) *Identification of administrative actions*
10 *the Secretary of Veterans Affairs and the Sec-*
11 *retary of the Treasury can carry out to reduce*
12 *the number of incorrect or unknown addresses of*
13 *such individuals in the databases of the Depart-*
14 *ment Veterans Affairs and the Department of the*
15 *Treasury and a timeline for carrying out such*
16 *actions.*

17 (C) *An estimate of the costs associated with*
18 *sending debt collection notices to such individ-*
19 *uals by certified mail.*

20 (D) *An analysis of whether, or to what ex-*
21 *tent, sending debt collection notices to such indi-*
22 *viduals by certified mail would address the prob-*
23 *lem analyzed under subparagraph (A).*

24 (E) *An analysis of the requirements and re-*
25 *sources that would be necessary for the Secretary*

1 *of Veterans Affairs to establish a method for the*
 2 *Secretary to display in one consolidated docu-*
 3 *ment the details regarding all of the debts of an*
 4 *individual to the United States by virtue of such*
 5 *individual's participation in a benefits program*
 6 *administered by the Secretary.*

7 *(F) An analysis of the extent to which such*
 8 *individuals are so indebted by reason of actions*
 9 *by the Secretary or by actions of the individual,*
 10 *including any trends relating to whether the ac-*
 11 *tions of the individual may be by reason of*
 12 *error, misrepresentation, or fraud.*

13 *(3) REPORT.—Not later than one year after the*
 14 *date of the enactment of this Act, the Secretary of Vet-*
 15 *erans Affairs, in coordination with the Secretary of*
 16 *the Treasury, shall submit to Congress a report on the*
 17 *findings of the Secretaries with respect to the study*
 18 *conducted under paragraph (1).*

19 ***TITLE VI—MEDICAL FACILITIES***

20 ***SEC. 601. AUTHORIZATION OF MAJOR MEDICAL FACILITY*** 21 ***PROJECTS FOR FISCAL YEAR 2019.***

22 *(a) IN GENERAL.—The Secretary of Veterans Affairs*
 23 *may carry out the following major medical facility projects*
 24 *in fiscal year 2019 at the locations specified and in an*

1 *amount for each project not to exceed the amount specified*
 2 *for such location:*

3 (1) *Construction of a community living center*
 4 *and renovation of domiciliary and outpatient facili-*
 5 *ties in Canandaigua, New York, in an amount not to*
 6 *exceed \$351,980,000 (an increase of \$193,000,000 as*
 7 *compared to the previous authorization for such*
 8 *project).*

9 (2) *Renovation of space for a simulation train-*
 10 *ing education center in North Chicago, Illinois, in an*
 11 *amount not to exceed \$15,980,000.*

12 (3) *Construction of a surgical intensive care unit*
 13 *and renovation to expand the operating room suite in*
 14 *Oklahoma City, Oklahoma, in an amount not to ex-*
 15 *ceed \$29,461,000.*

16 (4) *Construction of a new medical facility in*
 17 *Louisville, Kentucky, in an amount not to exceed*
 18 *\$450,000,000 (an increase of \$300,000,000 as com-*
 19 *pared to the previous authorization for such project).*

20 (b) *AUTHORIZATION OF APPROPRIATIONS.—There is*
 21 *authorized to be appropriated to the Secretary of Veterans*
 22 *Affairs for fiscal year 2019 or the year in which funds are*
 23 *appropriated for the Construction, Major Projects account,*
 24 *\$847,421,000 for the projects authorized in subsection (a).*

1 **SEC. 602. PLANS TO IMPROVE MEDICAL FACILITIES OF THE**
2 **DEPARTMENT OF VETERANS AFFAIRS.**

3 (a) *PLANS REQUIRED.*—

4 (1) *PLANS OF DIRECTORS OF MEDICAL FACILI-*
5 *TIES.*—*Not later than 90 days after the date of the*
6 *enactment of this Act, the Secretary of Veterans Af-*
7 *fairs shall require each director of a medical facility*
8 *of the Department of Veterans Affairs to submit to the*
9 *director of the Veterans Integrated Service Network*
10 *that covers the facility a plan to improve such facil-*
11 *ity.*

12 (2) *PLANS OF DIRECTORS OF VETERANS INTE-*
13 *GRATED SERVICE NETWORKS.*—*The Secretary shall*
14 *require each director of a Veterans Integrated Service*
15 *Network to submit to the Secretary, not later than 60*
16 *days after receiving all of the plans under paragraph*
17 *(1), a plan, based on the plans received under para-*
18 *graph (1), to improve the facilities within that Vet-*
19 *erans Integrated Service Network in such a fashion*
20 *that would improve the ability of all facilities within*
21 *that network to provide the best and most efficient*
22 *care to patients.*

23 (b) *REGULAR REPORTS.*—*The Secretary shall ensure*
24 *that each director of a Veterans Integrated Service Network*
25 *submits to the Secretary, not later than two years after the*
26 *date of the enactment of this Act and not less frequently*

1 *than once every two years thereafter, a report on the actions*
 2 *taken by the director to improve the facilities within that*
 3 *Veterans Integrated Service Network and what further such*
 4 *actions might be necessary.*

5 *(c) SENSE OF CONGRESS ON USE OF AUTHORITIES TO*
 6 *INVESTIGATE MEDICAL CENTERS OF THE DEPARTMENT OF*
 7 *VETERANS AFFAIRS.—It is the sense of Congress that the*
 8 *Secretary of Veterans Affairs should make full use of the*
 9 *authorities provided by section 2 of the Enhancing Veteran*
 10 *Care Act (Public Law 115–95; 38 U.S.C. 1701 note).*

11 ***TITLE VII—OTHER MATTERS***

12 ***SEC. 701. HOMELESS VETERANS REINTEGRATION PRO-*** 13 ***GRAMS.***

14 *Section 2021(a) of title 38, United States Code, is*
 15 *amended—*

16 *(1) by striking “reintegration of homeless vet-*
 17 *erans into the labor force.” and inserting the fol-*
 18 *lowing: “reintegration into the labor force of—”; and*

19 *(2) by adding at the end the following new para-*
 20 *graphs:*

21 *“(1) homeless veterans (including veterans who*
 22 *were homeless but found housing during the 60-day*
 23 *period preceding the date on which the veteran begins*
 24 *to participate in a program under this section);*

1 “(2) veterans participating in the Department of
 2 Veterans Affairs supported housing program for
 3 which rental assistance is provided pursuant to sec-
 4 tion 8(o)(19) of the United States Housing Act of
 5 1937 (42 U.S.C. 1437f(o)(19)) or the Tribal HUD–VA
 6 Supportive Housing (Tribal HUD–VASH) program;

7 “(3) Indians who are veterans and receiving as-
 8 sistance under the Native American Housing Assist-
 9 ance and Self Determination Act of 1996 (25 U.S.C.
 10 4101 et seq.);

11 “(4) veterans described in section 2023(e) of this
 12 title or any other veterans who are transitioning from
 13 being incarcerated; and

14 “(5) veterans participating in the Department of
 15 Veterans Affairs rapid rehousing and prevention pro-
 16 gram authorized in section 2044 of this title.”.

17 **SEC. 702. TECHNICAL CORRECTIONS.**

18 (a) *TITLE 38.*—Title 38, United States Code, is
 19 amended as follows:

20 (1) In the table of sections at the beginning of
 21 chapter 55, by inserting a period at the end of the
 22 item relating to section 5501A.

23 (2) In section 7463(c)(2)(B), by striking “to an-
 24 swer to answer” and inserting “to answer”.

1 (b) *VETERANS' BENEFITS IMPROVEMENTS ACT OF*
 2 1996.—*Section 504 of the Veterans' Benefits Improvements*
 3 *Act of 1996 (Public Law 104–275; 38 U.S.C. 5101 note)*
 4 *is amended by redesignating the second subsection (c) as*
 5 *subsection (d).*

6 **SEC. 703. MEDICAL SURGICAL PRIME VENDOR PROGRAM.**

7 (a) *VENDORS.*—*In procuring certain medical, sur-*
 8 *gical, and dental supplies or laboratory supplies for med-*
 9 *ical centers of the Department of Veterans Affairs, the Sec-*
 10 *retary of Veterans Affairs shall carry out the Medical Sur-*
 11 *gical Prime Vendor program, or successor program, in a*
 12 *manner that—*

13 (1) *requires the Secretary to award contracts to*
 14 *multiple regional prime vendors instead of a single*
 15 *nationwide prime vendor; and*

16 (2) *prohibits a prime vendor from solely design-*
 17 *ing the formulary of such supplies.*

18 (b) *CLINICALLY DRIVEN SOURCING.*—

19 (1) *EXPERTISE.*—*In carrying out the formulary*
 20 *of supplies under the Medical Surgical Prime Vendor*
 21 *program, or successor program, the Secretary shall*
 22 *ensure that each employee of the Department of Vet-*
 23 *erans Affairs who conducts formulary analyses or*
 24 *makes decisions with respect to including items on the*
 25 *formulary has medical expertise relevant to the items*

1 *for which the employee conducts such analyses or*
 2 *makes such decisions.*

3 (2) *LISTS.*—*Not later than 30 days after the*
 4 *date of the enactment of this Act, and every six*
 5 *months thereafter with respect to any updates, the*
 6 *Secretary shall submit to the Committees on Veterans’*
 7 *Affairs of the House of Representatives and the Senate*
 8 *a list of each employee described in paragraph (1)*
 9 *and the relevant medical expertise of the employee,*
 10 *listed by the categories of items in the formulary de-*
 11 *scribed in such paragraph.*

12 **SEC. 704. REPORT ON EXPANDING ACCESS TO DENTAL**
 13 **CARE FOR VETERANS ELIGIBLE FOR HEALTH**
 14 **CARE FROM THE DEPARTMENT OF VETERANS**
 15 **AFFAIRS.**

16 (a) *IN GENERAL.*—*Not later than 360 days after the*
 17 *date of the enactment of this Act, the Secretary of Veterans*
 18 *Affairs shall submit to the Committee on Veterans’ Affairs*
 19 *of the Senate and the Committee on Veterans’ Affairs of*
 20 *the House of Representatives a report on the feasibility and*
 21 *advisability of expanding access to dental care for eligible*
 22 *veterans.*

23 (b) *ELEMENTS.*—*The report required by subsection (a)*
 24 *shall include the following:*

1 (1) *An analysis of access to dental care for eligi-*
 2 *ble veterans outside of the Department, including—*

3 (A) *the percentage of eligible veterans cur-*
 4 *rently enrolled in dental insurance through a*
 5 *third-party payer, including—*

6 (i) *the dental insurance plan for vet-*
 7 *erans and survivors and dependents of vet-*
 8 *erans under section 1712C of title 38,*
 9 *United States Code;*

10 (ii) *the Medicaid program under title*
 11 *XIX of the Social Security Act (42 U.S.C.*
 12 *1396 et seq.); and*

13 (iii) *employer-sponsored dental insur-*
 14 *ance;*

15 (B) *the affordability of dental insurance de-*
 16 *scribed in subparagraph (A); and*

17 (C) *the comprehensiveness of benefits of den-*
 18 *tal insurance described in subparagraph (A).*

19 (2) *An analysis of the current oral health needs*
 20 *of eligible veterans, including an estimate of the num-*
 21 *ber of eligible veterans who—*

22 (A) *experience untreated cavities or decay;*

23 (B) *require dentures, implants, or other re-*
 24 *storative dental services; or*

1 (C) have not received regular dental
 2 cleanings within the two-year period preceding
 3 the report.

4 (3) An analysis of the financial impact to the
 5 Department of Veterans Affairs of providing dental
 6 care to eligible veterans, including—

7 (A) whether the provision of such services
 8 would result in a reduction in total health care
 9 costs;

10 (B) a cost-benefit analysis that indicates
 11 potential cost savings to the Department over a
 12 5-, 10-, and 20-year period; and

13 (C) projected cost savings to the Department
 14 and across the broader health care system.

15 (4) An analysis of the number and types of den-
 16 tal providers necessary to treat eligible veterans, in-
 17 cluding—

18 (A) dentists;

19 (B) hygienists;

20 (C) dental technicians; and

21 (D) dental therapists.

22 (c) CATEGORIES OF ELIGIBLE VETERANS.—The report
 23 required by subsection (a) shall be disaggregated by each
 24 of the following categories of eligible veterans:

1 (1) *Veterans enrolled in the system of annual pa-*
 2 *tient enrollment of the Department pursuant to the*
 3 *priority group under subsection (a)(6) of section 1705*
 4 *of such title.*

5 (2) *Veterans enrolled in such system pursuant to*
 6 *the priority group under subsection (a)(5) of such sec-*
 7 *tion.*

8 (3) *Veterans enrolled in such system pursuant to*
 9 *a priority group under any of subsections (a)(1)*
 10 *through (a)(4) of such section.*

11 (4) *Veterans enrolled in such system pursuant to*
 12 *a priority group under subsection (a)(7) or (a)(8) of*
 13 *such section.*

14 (d) *ELIGIBLE VETERANS DEFINED.—In this section,*
 15 *the term “eligible veterans” means veterans enrolled in the*
 16 *system of annual patient enrollment of the Department of*
 17 *Veterans Affairs established and operated under section*
 18 *1705 of title 38, United States Code.*

Attest:

Clerk.

115TH CONGRESS
2^D SESSION

S. 2248

AMENDMENT