

H.R. 6132, as amended

Veterans Benefits and Economic Welfare Improvement Act of 2010

Title: To amend title 38, United States Code, to establish a transition program for new veterans, to improve the disability claim system, and for other purposes.

Mr. Filner introduced H.R. 6132 on September 15, 2010.

H.R. 6132, as amended, would:

- Authorize the Secretary of the Department of Veterans Affairs to determine eligibility of program and the Assistant Secretary of the Department of Labor for Veterans Employment and Training to oversee the program.
- Clarify that eligible veterans are to those not eligible for education or training programs, has not acquired a marketable skill since leaving the military, has been discharged under honorable conditions, and has been unemployed for at least 90 days during the 180-day period preceding the date of application for the program. It also clarifies that a maximum hourly rate of pay for such veteran during the 180-day period is not more than 150 percent of the Federal minimum wage.
- Require that employers participating in an approved on-the-job training is not less than the rate of pay for non-veterans in a similar job, and that there is a reasonable expectation that the veteran will be qualified for employment in the field upon completion of the program and the employer will continue to employ the veteran after program completion.
- Authorize the Assistant Secretary of Labor for Employment and Training Service to enter into contracts with employers to provide on-the-job training to veterans. Employers participating will pay 50 percent of the wages paid to participating veterans to be calculated in an hourly wage. The paid amount may not exceed \$20,000 in the aggregate and \$1,666.67 per month. Such payments may only be paid for the first 12 months of program participation.
- Authorize the Assistant Secretary of Labor and Employment and Training Service, in the case of a veteran who participates on a less than full-time basis, to extend the number of months of payments to 24 months but the aggregate amount paid may not exceed \$20,000.
- Require participating employers to report, to the Assistant Secretary of Labor for Employment and Training Service, on a quarterly basis certifying the wage paid to participating veterans and other information requested by the Assistant Secretary.
- Require that the Secretaries of Veterans Affairs and Labor publish a report on their activities carried out by this program in their annual report prepared by the Veterans Benefits Administration.
- Authorize \$10,000,000 per year and expires on September 30, 2016. The effective date is one year after the date of enactment.
- Authorize the VA to recognize businesses for their contributions to veterans' employment.
- Amend Section 5101 of title 38, United States Code by making changes in the VA's Fully Developed Claims program, codifying it to ensure that veterans with fully developed claims may waive the development period and have their claims receive expedited treatment. It also codifies an informal placeholder claim to allow a veteran who intends to file a fully developed claim to mark the effective date similarly how it is done for other claims.

- Amend Section 5104 of title 38, United States Code by requiring that an appeals form be included with any decision by VA denying a sought benefit. The amendments made by this Section shall apply with respect to claims submitted on or after the date of the enactment of this legislation.
- Require an extension of the 120-day limit for the filing of an appeal to the Court of Veterans Appeals after a final decision of the Board of Veterans' Appeals upon a showing of good cause for such time as justice may require. The bill considers as good cause the inability of a person to file within the 120-day period due to a service-connected disability.
- Make extension applicable to appeals of final Board decisions issued on or after July 24, 2008. This Section also requires the Court of Appeals for Veterans Claims to reinstate untimely appeals already dismissed as a result of the court's failure to toll the filing period for good cause.
- Amend Section 1503 of title 38, United States Code to exclude from income payments received to cover expenses incurred after an accident, theft, loss, or casualty loss for those receiving the non-service connected pension. Pain and suffering awards are also covered under this section.
- Exclude from income determinations payments of up to \$5,000 made by States and municipalities.
- Make amendments made by subsection (a) and (b) applicable with respect to determinations of income for calendar years beginning after October 1, 2011.
- Extend the authority to obtain income verification information from other agencies from September 30, 2011 to September 30, 2015, creating a savings to the Department of Veterans Affairs.
- Increase the amount of pension for Medal of Honor recipients from \$1,000 to \$2,000.

Effective Date: Date of enactment.

Legislative History:

Sept. 15, 2010: Ordered reported by the Committee on Veterans' Affairs.

Sept. 28, 2010: Reported by the Committee on Veterans' Affairs, H. Rept. 111-630.

Sept. 28, 2010: House agreed to suspend the rules and pass the bill (amended) by voice vote.

Provisions of H.R. 929, H.R. 4541, H.R. 5064, H.R. 5484, and H.R. 5549 are included in this legislation.