

levels—and submit it to Congress for review.

I am grateful to Representative KILMER for sponsoring this legislation. I urge all of my colleagues to support it.

Mr. Speaker, I encourage my colleagues to join me in supporting H.R. 1066, and I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1066, the VA Management Alignment Act of 2017, as introduced by my colleague from Washington, the most excellent Representative, DEREK KILMER. His advocacy and hard work on behalf of veterans is commendable.

This bipartisan measure will require the VA Secretary to report to Congress on the roles, responsibilities, and accountability of employees within VA.

This oversight is sorely needed. Last Congress, in testimony before the Veterans' Affairs Committee, the bipartisan co-chairs of the Commission on Care both highlighted how little attention is paid to the VA's human resources to ensure the Department is functioning efficiently. Representative KILMER's legislation will help lead to a VA that more effectively meets veterans' needs.

I have enjoyed working with Representative KILMER to advance this legislation through committee and truly appreciate his work on this issue.

Mr. Speaker, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. KILMER).

□ 1645

Mr. KILMER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I believe that we have a responsibility to ensure that military veterans have access to the benefits and services that they have earned. These men and women have had our backs, and we need to have theirs.

We can't stand by as they endure challenges seeing doctors or getting treatment because of management failures and unnecessary bureaucratic barriers. Taxpayers have spent millions of dollars, tens of millions of dollars, to identify how the VA is broken and to identify opportunities to fix it.

The Government Accountability Office has raised specific suggestions related to management issues, but, unfortunately, the VA has implemented few, if any, of these solutions, and that cannot stand.

How can our Nation's veterans expect to get what they have earned if the leaders and components of the VA are not expected to cooperate with one another? How can they expect to see medical providers if the VA cannot bring in or maintain talented medical professionals?

The VA Management Alignment Act is a bipartisan effort to address these

and other management problems that have real consequences on the delivery of care to our friends, our neighbors, and to our loved ones.

Representative NEWHOUSE and I drafted this bill with input from the Government Accountability Office to bring an end to this disjointed and inefficient system. The bill would require the Secretary to outline the roles, responsibilities, and accountability measures of senior leaders and branches of the VA and to provide Congress with a series of legislative options to assist the Secretary in realizing positive change.

The goal of this bill is to help Congress and the administration work together to fix these problems. The goal of this bill is to make sure veterans get the care and the benefits that they have earned.

I would like to thank Chairman ROE and Ranking Member WALZ for their leadership and support in moving this bill forward. I would like to thank my colleague from California (Mr. TAKANO) for his help as well.

I urge my colleagues to support this legislation to help us align the VA into a system that can deliver on our Nation's responsibilities to our military veterans.

Mr. TAKANO. Mr. Speaker, I have no further speakers. I urge my colleagues to join me in supporting H.R. 1066, the VA Management Alignment Act of 2017.

Mr. Speaker, I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I encourage all Members to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 1066.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROE of Tennessee. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### VETERANS CARE FINANCIAL PROTECTION ACT OF 2017

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3122) to protect individuals who are eligible for increased pension under laws administered by the Secretary of Veterans Affairs on the basis of need of regular aid and attendance from dishonest, predatory, or otherwise unlawful practices, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3122

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Veterans Care Financial Protection Act of 2017".*

#### SEC. 2. SECRETARY OF VETERANS AFFAIRS NOTICE OF DISHONEST, PREDATORY, OR OTHERWISE UNLAWFUL PRACTICES TARGETING INDIVIDUALS WHO ARE ELIGIBLE FOR INCREASED PENSION ON BASIS OF NEED FOR REGULAR AID AND ATTENDANCE.

(a) NOTICE REQUIRED.—The Secretary of Veterans Affairs shall include on the internet website of the Department of Veterans Affairs a warning to veterans relating to dishonest, predatory, or otherwise unlawful practices targeting individuals who are eligible for increased pension under chapter 15 of title 38, United States Code, on the basis of need for regular aid and attendance.

(b) GAO STUDY.—

(1) STUDY REQUIRED.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall complete a study on financial exploitation of veterans. Such study shall include—

(A) an analysis of the types of standards used by Federal and State agencies intended to protect vulnerable populations from financial exploitation; and

(B) an analysis of the types of financial exploitation facing veterans who are eligible for increased pension under chapter 15 of title 38, United States Code, on the basis of need for regular aid and attendance and any gaps in efforts to address these issues.

(2) REPORTS.—

(A) PRELIMINARY REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to Congress a preliminary report on the study required under paragraph (1).

(B) FINAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit to Congress a final report on such study.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

#### GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3122, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3122, as amended, the Veterans Care Financial Protection Act.

Mr. Speaker, VA offers an additional pension benefit called Aid and Attendance, or A&A, to some disabled or elderly veterans who need help with activities of daily living such as dressing or bathing.

It may come as a shock to many Americans, but there are people out there who actually take advantage of elderly and disabled veterans by charging them money to help them apply for A&A benefits when the application process is free. If veterans need help

filling out the application, veterans service organizations like The American Legion, Disabled American Veterans, VFW, and others will help, at no charge, even if the veteran is not a member of the organization.

Unfortunately, there are many veterans who don't know that the free help is available and, more importantly, that it is illegal to charge them a dime to file a claim. So some veterans may end up falling prey to these dishonest individuals.

H.R. 3122 would help educate veterans and their families by requiring VA to post warnings on its website about scammers who actually take money from our Nation's most vulnerable veterans for a service that should be free.

The bill would also require GAO to conduct a study and submit a report to Congress on how to better protect vulnerable veterans from being taken advantage of.

With that, Mr. Speaker, I urge all of my colleagues to join me in supporting H.R. 3122, as amended, and I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 3122, as amended, the Veterans Care Financial Protection Act of 2017, and thank the bill's sponsor, the congressman from Pennsylvania (Mr. CARTWRIGHT), for introducing it.

Veterans who served during wartime, and their spouses, may be eligible to receive pension benefits if they meet certain income and other eligibility requirements. Such veterans and survivors may also be eligible for additional financial benefits, known as Aid and Attendance, if the applicant needs assistance performing personal functions required in everyday living such as bathing, feeding, and dressing.

Now, VA does not charge veterans and their families to apply for Aid and Attendance benefits. In addition, veterans service organizations, such as The American Legion and VFW, offer free assistance to veterans and their families who wish to apply for this benefit.

Yet, in all parts of the country, some individuals attempt to charge fees for helping veterans apply for Aid and Attendance benefits. According to organizations, such as AARP and the Federal Trade Commission, senior veterans have increasingly become subject to scams involving insurance agents and financial planners trying to convince veterans to make quick decisions about pursuing Aid and Attendance in addition to their pension incomes. Some scammers use false representations such as suggesting automatic entitlement to benefits.

Of greater concern, though, are those who help the veteran restructure financial assets in order to qualify for pension and/or Aid and Attendance. For example, moving financial assets into a pooled-asset irrevocable trust might render a veteran eligible for pension

and Aid and Attendance, despite having assets in excess of the qualifying income thresholds.

While it appears that this would benefit the veteran, what these salesmen do not tell them is that this type of restructuring might preclude them from Medicaid eligibility because of rules such as a 5-year look-back period, which considers whether one has moved substantial assets at less than market value.

H.R. 3122, as amended, would require that VA post warnings on its website about dishonest individuals who would charge fees to this very vulnerable group of veterans and their families to help beneficiaries apply for pension with Aid and Attendance benefits.

Now, this bill would also require GAO to submit a report to Congress on the types of standards used by Federal and State agencies intended to protect vulnerable populations from financial exploitation, an analysis of the types of financial exploitation facing veterans who are eligible for Aid and Attendance benefits, and any other gaps and efforts to address these issues.

H.R. 3122, the Veterans Care Financial Protection Act, enjoys broad bipartisan support in the House of Representatives as well as from our veterans service organizations. I want to also acknowledge the work of the Subcommittee on Disability Assistance and Memorial Affairs Chairman MIKE BOST and Ranking Member ELIZABETH ESTY for their efforts to protect veterans.

Mr. Speaker, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. Mr. Speaker, with Veterans Day approaching rapidly, I find it particularly fitting that we raise this important issue today, an issue affecting our veterans that should concern all of us here in the Congress.

As Americans, we enter into a moral covenant with our armed services, with the men and women warfighters that we send into harm's way. It is a covenant that says: you do this for us, and we will take care of you when the time comes, when you need us. It is a covenant that our honoring is of paramount importance, and there is no one here in the people's House who wants to turn his or her back on that covenant.

As part of this enduring covenant and commitment to those who have served our Nation, the VA provides, as has been mentioned, a modest Aid and Attendance benefit to low-income veterans in need of our support. It is a benefit that helps pay for assisted living and in-home personal care for veterans who qualify for VA pension and are homebound or require the aid and assistance of another person.

Unfortunately, as Dr. ROE mentioned, a number of unscrupulous scam artists are out there taking advantage of this commitment and this benefit provided to our veterans. They abuse the VA system by deliberately misleading our veterans into thinking they have to pay application fees, into creating damaging irrevocable trusts, into paying extra fees for so-called expediting these applications when no such expediting is available, and for paying any fees at all when, as has been mentioned, the veterans service organizations do it for free.

Practices such as these leave vulnerable, elderly veterans with few choices outside of draining their own remaining assets. My bill, the Veterans Care Financial Protection Act of 2017, is a bipartisan, commonsense approach that will direct Federal agencies to work with the States and outside experts to establish standards that will prevent this kind of exploitation of our veterans and protect them from dishonest, predatory, or otherwise unlawful practices relating to the A&A benefit, and it will require a report from the Government Accountability Office to conduct a study and report to Congress on how better to protect veterans from these scam artists.

Mr. Speaker, we owe our veterans, who have made great sacrifices for all of us, the protection and benefits that they deserve, and, as such, I urge a "yes" vote on this bill.

I want to thank the chairman of the VA committee, Dr. ROE from Tennessee; its ranking member, Mr. WALZ from Minnesota; and the entire Veterans' Affairs Committee for taking up this bill. And I would also like to thank, over in the Senate, Senator WARREN, for her hard work on this bill in the Senate as well.

Mr. ROE of Tennessee. Mr. Speaker, I want to associate my remarks to the gentleman from Pennsylvania (Mr. CARTWRIGHT). He is absolutely 100 percent correct. To have a vulnerable veteran, an elderly veteran in need who served this country, maybe in World War II, Korea, Vietnam, and then to have them taken advantage of is incomprehensible to me.

Mr. Speaker, I have no further speakers, and I am prepared to close. I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I have no further speakers, and again, I strongly support H.R. 3122, as amended, and urge my colleagues to do the same.

Mr. Speaker, I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, once again, I encourage all Members to support this needed legislation, and I yield back the balance of my time.

THE SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 3122, as amended.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to direct the Secretary of Veterans Affairs to include on the internet website of the Department of Veterans Affairs a warning regarding dishonest, predatory, or otherwise unlawful practices targeting individuals who are eligible for increased pension on the basis of need for regular aid and attendance, and for other purposes."

A motion to reconsider was laid on the table.

□ 1700

**PROVIDING FOR A CONSISTENT ELIGIBILITY DATE FOR PROVISION OF DEPARTMENT OF VETERANS AFFAIRS MEMORIAL HEADSTONES AND MARKERS FOR ELIGIBLE SPOUSES AND DEPENDENT CHILDREN**

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3656) to amend title 38, United States Code, to provide for a consistent eligibility date for provision of Department of Veterans Affairs memorial headstones and markers for eligible spouses and dependent children of veterans whose remains are unavailable, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3656

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. ELIGIBILITY OF VETERANS' SPOUSES AND DEPENDENT CHILDREN WHOSE REMAINS ARE UNAVAILABLE FOR DEPARTMENT OF VETERANS AFFAIRS MEMORIAL HEADSTONES AND MARKERS.**

*Section 2306(b)(2) of title 38, United States Code, is amended—*

*(1) in subparagraph (B), by striking "The" and inserting "An individual who dies on or after November 11, 1998, who is the"; and*

*(2) in subparagraph (C), by striking "An" and inserting "An individual who dies on or after November 11, 1998, who is an".*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3656, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3656, as amended.

Under current law, VA may provide a memorial headstone or marker for a

veteran's dependent child or surviving spouse if their remains are unavailable. But this law also contains an inconsistency. VA can provide a memorial headstone or marker for a spouse who dies on or after November 11, 1998, but can only provide one for a dependent child who dies on or after December 22, 2006.

The disparity makes it difficult for VA to administer this law. More importantly, it has led to some confusion among veterans and their families as to whether a particular family member is eligible for this benefit or not.

These families are not just mourning, but they are also coping with the heartbreak of not being able to properly lay their loved one to rest because the remains have not been recovered. I am concerned that it is possible that these families may not request a memorial VA headstone or marker because they aren't sure if they qualify. I hope that this bill will bring these families some peace by allowing VA to provide a permanent memorial marker to ensure their loved one will not be forgotten.

H.R. 3656 would help avoid confusion by making the eligibility dates for the memorial markers consistent for surviving spouses and dependent children. This may seem like a small change, but I know it will be very important to grieving families who want to ensure that their loved ones are properly memorialized.

Mr. Speaker, I urge all of my colleagues to join me in supporting H.R. 3656, as amended, and I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3656, as amended, which resolves an inconsistency in the eligibility for non-veteran spouses and children receiving memorial headstones. The legislation ensures a consistent applicability date for memorial headstones and markers for eligible nonveteran individuals whose remains are not available.

Under current law, a surviving spouse who dies on or after November 11, 1998, is eligible for a headstone or marker. But for dependent children who pass away, the date of eligibility for a headstone or marker does not occur until December 22, 2006.

This arbitrary difference causes situations in which VA can provide a marker for the parent, but not the dependent child. Clearly, this change would make it easier for surviving family members to make funeral and burial plans.

H.R. 3656, as amended, is supported by the major veteran service organizations and enjoys bipartisan support in the House Veterans' Affairs Committee.

Mr. Speaker, I support H.R. 3656, as amended, and I urge my colleagues in the House to do the same. I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. BANKS), an active member

of the Committee on Veterans' Affairs and a Navy veteran.

Mr. BANKS of Indiana. Mr. Speaker, I thank Mr. ROE for his hard work on behalf of our veterans as chairman of the House Veterans' Affairs Committee. I am very proud to serve on that committee under his leadership.

Mr. Speaker, because our veterans answered the call and served our country, we, in turn, must serve them and their families.

This commitment extends to assisting them in medical recovery, in successfully transitioning to the civilian workforce, and, just as importantly, in properly memorializing their lives when they are gone.

Current law provides memorial headstones for veterans and for their spouses and children when the remains of the deceased cannot be found. This can occur in unfortunate cases, such as a boating or a plane accident.

Public Law 105-368 provides headstones for spouses, and it was enacted in 1998. Public Law 109-461 provides headstones for dependent children, and it was enacted in 2006. Both groups are eligible for this benefit as of the date of enactment. However, as has already been said, it is unfortunate that these two laws did not go into effect at the same time, potentially opening the door for a parent to receive this benefit, but not a child.

Mr. Speaker, my bill, H.R. 3656, would amend title 38 of the United States Code to provide for a consistent eligibility date for spouses and dependent children. The date for both would be set at the current date for spouses: November 11, 1998.

This bill is especially necessary for the few tragic cases in which a spouse and a dependent child both passed away in the same accident during a period when these two laws were not in sync. We need to correct this situation.

My legislation is a practical fix to take care of our veterans and their families, and to keep our commitment to them. Therefore, I ask my colleagues to support the passage of H.R. 3656.

Mr. TAKANO. Mr. Speaker, I have no further speakers. Again, I strongly support H.R. 3656, as amended, and I urge my colleagues to do the same.

I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, once again, I encourage all Members to support this commonsense piece of legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 3656, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.