

107TH CONGRESS
2^D SESSION

S. 2526

To amend title 38, United States Code, to modify provisions governing certain programs administered by the Department of Veterans Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 16 (legislative day, MAY 9), 2002

Mr. ROCKEFELLER (by request) introduced the following bill; which was read twice and referred to the Committee on Veterans Affairs

A BILL

To amend title 38, United States Code, to modify provisions governing certain programs administered by the Department 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; REFERENCES TO TITLE 38,**
4 **UNITED STATES CODE.**

5 (a) **SHORT TITLE.**—This Act may be cited as the
6 “Veterans’ Programs Amendments Act of 2002”.

7 (b) **REFERENCES.**—Except as otherwise expressly
8 provided, whenever in this Act an amendment is expressed
9 in terms of an amendment to a section or other provision,

1 the reference shall be considered to be made to a section
2 or other provision of title 38, United States Code.

3 **SEC. 2. BURIAL PLOT ALLOWANCE**

4 (a) IN GENERAL.—Section 2303(b) is amended—

5 (1) in the matter preceding paragraph (1), by
6 striking “a burial allowance under such section
7 2302, or under such subsection, who was discharged
8 from the active military, naval, or air service for a
9 disability incurred or aggravated in line of duty, or
10 who is a veteran of any war” and inserting “burial
11 in a national cemetery under section 2402 of this
12 title”; and

13 (2) in paragraph (2) by striking “(other than a
14 veteran whose eligibility for benefits under this sub-
15 section is based on being a veteran of any war)” and
16 inserting “is eligible for a burial allowance under
17 section 2302 of this title or under subsection (a) of
18 this section, or was discharged from the active mili-
19 tary, naval, or air service for a disability incurred or
20 aggravated in line of duty, and such veteran”.

21 (b) APPLICABILITY.—The amendments made by sec-
22 tion 2(a) shall apply with respect to the burial of persons
23 dying on or after the date of enactment of this Act.

1 **SEC. 3. LEASE OF LAND AND BUILDINGS; RETENTION OF**
2 **PROCEEDS.**

3 (a) IN GENERAL.—Chapter 24 is amended by adding
4 at the end thereof the following section:

5 **“§ 2412. Lease of land and buildings; retention of pro-**
6 **ceeds**

7 “(a) The Secretary may lease for a term not exceeding
8 3 years undeveloped land and unused or underutilized
9 buildings, or parts or parcels thereof, belonging to the
10 United States and part of the National Cemetery System
11 established by section 2400 of this title. Any lease made
12 to any public or nonprofit organization may be made with-
13 out regard to the provisions of section 3709 of the Revised
14 Statutes (41 U.S.C. 5). Notwithstanding section 321 of
15 the Act of June 30, 1932 (40 U.S.C. 303b), or any other
16 provision of law, a lease made pursuant to this subsection
17 to any public or nonprofit organization may provide for
18 the maintenance, protection or restoration by the lessee
19 as a part or all of the consideration for the lease. Prior
20 to execution of any such lease, the Secretary shall give
21 appropriate public notice of the Secretary’s intention to
22 do so in the newspaper of the community in which the
23 lands or buildings are located.

24 “(b) Notwithstanding any other provision of law, pro-
25 ceeds from the lease of National Cemetery land or build-
26 ings and from agricultural licenses shall be deposited to

1 the National Cemetery Administration account to assist
 2 cemetery operations and maintenance of cemetery prop-
 3 erty.”.

4 (b) CLERICAL AMENDMENTS.—The table of sections at
 5 the beginning of chapter 24 is amended by adding at the
 6 end thereof the following new item:

“2412. Lease of land and buildings; retention of proceeds.”.

7 **SEC. 4. TIME LIMITATION OF RECEIPT OF CLAIM INFORMA-**
 8 **TION PURSUANT TO REQUEST BY DEPART-**
 9 **MENT OF VETERANS AFFAIRS.**

10 (a) IN GENERAL.—Section 5102 is amended by adding
 11 at the end thereof the following new subsection:

12 “(c) TIME LIMITATION.—

13 “(1) If information that a claimant and the claim-
 14 ant’s representative, if any, are notified under sub-
 15 section (b) is necessary to complete an application is
 16 not received by the Secretary within one year from
 17 the date of such notification, no benefit may be paid
 18 or furnished by reason of the claimant’s application.

19 “(2) The subsection shall not apply to any appli-
 20 cation or claim for Government life insurance bene-
 21 fits.”.

22 (b) REPEAL OF SUPERSEDED PROVISIONS.—Section
 23 5103 is amended—

24 (1) by striking “(a) REQUIRED INFORMATION AND
 25 EVIDENCE.—”; and

1 (2) by striking subsection (b).

2 (c) **EFFECTIVE DATE.**—The amendments made by this
3 section shall take effect as if enacted on November 9,
4 2000, immediately after the enactment of the Veterans
5 Claims Assistance Act of 2000 (Public Law 106–475; 114
6 Stat. 2096).

7 **SEC. 5. MODIFICATION OF LIMITATION ON OBLIGATIONS**
8 **FOR ADVANCE PLANNING.**

9 Section 8104 is amended by adding at the end thereof
10 the following new subsection:

11 “(g) Subsection (f) shall not apply with respect to the
12 obligation of funds for a project if the project is specifi-
13 cally authorized by law prior to the obligation of funds.”.

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