

Union Calendar No. 574

114TH CONGRESS
2^D SESSION

H. R. 4782

[Report No. 114-738]

To increase, effective as of December 1, 2016, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2016

Mr. ABRAHAM (for himself and Ms. TITUS) introduced the following bill;
which was referred to the Committee on Veterans' Affairs

SEPTEMBER 12, 2016

Additional sponsors: Mr. CARTWRIGHT, Mr. HECK of Nevada, and Mr.
O'ROURKE

SEPTEMBER 12, 2016

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on March 17, 2016]

A BILL

To increase, effective as of December 1, 2016, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, 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.**

4 *This Act may be cited as the “Veterans’ Compensation*
5 *Cost-of-Living Adjustment Act of 2016”.*

6 **SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION**
7 **AND DEPENDENCY AND INDEMNITY COM-**
8 **PENSATION.**

9 *(a) RATE ADJUSTMENT.—Effective on December 1,*
10 *2016, the Secretary of Veterans Affairs shall increase, in*
11 *accordance with subsection (c), the dollar amounts in effect*
12 *on November 30, 2016, for the payment of disability com-*
13 *pensation and dependency and indemnity compensation*
14 *under the provisions specified in subsection (b).*

15 *(b) AMOUNTS TO BE INCREASED.—The dollar*
16 *amounts to be increased pursuant to subsection (a) are the*
17 *following:*

18 *(1) WARTIME DISABILITY COMPENSATION.—Each*
19 *of the dollar amounts under section 1114 of title 38,*
20 *United States Code.*

21 *(2) ADDITIONAL COMPENSATION FOR DEPEND-*
22 *ENTS.—Each of the dollar amounts under section*
23 *1115(1) of such title.*

24 *(3) CLOTHING ALLOWANCE.—The dollar amount*
25 *under section 1162 of such title.*

1 (4) *DEPENDENCY AND INDEMNITY COMPENSA-*
2 *TION TO SURVIVING SPOUSE.*—Each of the dollar
3 amounts under subsections (a) through (d) of section
4 1311 of such title.

5 (5) *DEPENDENCY AND INDEMNITY COMPENSA-*
6 *TION TO CHILDREN.*—Each of the dollar amounts
7 under sections 1313(a) and 1314 of such title.

8 (c) *DETERMINATION OF INCREASE.*—

9 (1) *PERCENTAGE.*—Except as provided in para-
10 graph (2), each dollar amount described in subsection
11 (b) shall be increased by the same percentage as the
12 percentage by which benefit amounts payable under
13 title II of the Social Security Act (42 U.S.C. 401 et
14 seq.) are increased effective December 1, 2016, as a re-
15 sult of a determination under section 215(i) of such
16 Act (42 U.S.C. 415(i)).

17 (2) *ROUNDING.*—Each dollar amount increased
18 under paragraph (1), if not a whole dollar amount,
19 shall be rounded to the next lower whole dollar
20 amount.

21 (d) *SPECIAL RULE.*—The Secretary of Veterans Affairs
22 may adjust administratively, consistent with the increases
23 made under subsection (a), the rates of disability compensa-
24 tion payable to persons under section 10 of Public Law 85–

1 857 (72 Stat. 1263) who have not received compensation
2 under chapter 11 of title 38, United States Code.

3 (e) *PUBLICATION OF ADJUSTED RATES.*—The Sec-
4 retary of Veterans Affairs shall publish in the Federal Reg-
5 ister the amounts specified in subsection (b), as increased
6 under this section, not later than the date on which the mat-
7 ters specified in section 215(i)(2)(D) of the Social Security
8 Act (42 U.S.C. 415(i)(2)(D)) are required to be published
9 by reason of a determination made under section 215(i) of
10 such Act during fiscal year 2017.

11 **SEC. 3. TRANSPORTATION OF DECEASED VETERANS TO**
12 **VETERANS' CEMETERIES.**

13 (a) *IN GENERAL.*—Subsection (a) of section 2308 of
14 title 38, United States Code, is amended to read as follows:

15 “(a) *IN GENERAL.*—(1) The Secretary may pay, in
16 addition to any amount paid pursuant to section 2302 or
17 2307 of this title, the cost of transportation of the deceased
18 veteran described in paragraph (1) or (2) of subsection (b)
19 for burial in a national cemetery or a covered veterans’
20 cemetery. Such payment shall not exceed the cost of trans-
21 portation to the national cemetery nearest the veteran’s last
22 place of residence in which burial space is available.

23 “(2) The Secretary may pay, in addition to any
24 amount paid pursuant to section 2302 or 2307 of this title,
25 the cost of transportation of the deceased veteran described

1 *in subsection (b)(3) for burial in a national cemetery. Such*
2 *payment shall not exceed the cost of transportation to the*
3 *national cemetery nearest the veteran’s last place of resi-*
4 *dence in which burial space is available.”.*

5 *(b) COVERED VETERANS’ CEMETERY DEFINED.—Sec-*
6 *tion 2308 of such title is amended by adding at the end*
7 *the following new subsection:*

8 *“(c) COVERED VETERANS’ CEMETERY DEFINED.—In*
9 *this section, the term ‘covered veterans’ cemetery’ means,*
10 *with respect to a deceased veteran described in subsection*
11 *(b), a veterans’ cemetery owned by a State or a tribal orga-*
12 *nization (as defined in section 3765(4) of this title) in*
13 *which the deceased veteran is eligible to be buried.”.*

14 *(c) CONFORMING AMENDMENT.—Section 2308 of such*
15 *title is amended in the section heading by adding at the*
16 *end the following: “**or a veterans’ cemetery**”.*

17 *(d) CLERICAL AMENDMENT.—The table of sections at*
18 *the beginning of such chapter is amended by striking the*
19 *item relating to section 2308 and inserting the following*
20 *new item:*

*“2308. Transportation of deceased veterans to a national cemetery or a veterans’
cemetery.”.*

1 **SEC. 4. EXPANSION OF ELIGIBILITY FOR HEADSTONES,**
2 **MARKERS, AND MEDALLIONS FOR MEDAL OF**
3 **HONOR RECIPIENTS.**

4 *Section 2306(d) of title 38, United States Code, is*
5 *amended by adding at the end the following new paragraph:*

6 *“(5)(A) In carrying out this subsection with respect*
7 *to a deceased individual described in subparagraph (C), the*
8 *Secretary shall furnish, upon request, a headstone or mark-*
9 *er under paragraph (1) or a medallion under paragraph*
10 *(4) that signifies the deceased’s status as a Medal of Honor*
11 *recipient.*

12 *“(B) If the Secretary furnished a headstone, marker,*
13 *or medallion under paragraph (1) or (4) for a deceased in-*
14 *dividual described in subparagraph (C) that does not sig-*
15 *nify the deceased’s status as a Medal of Honor recipient,*
16 *the Secretary shall, upon request, replace such headstone,*
17 *marker, or medallion with a headstone, marker, or medal-*
18 *lion, as the case may be, that so signifies the deceased’s sta-*
19 *tus as a Medal of Honor recipient.*

20 *“(C) A deceased individual described in this subpara-*
21 *graph is a deceased individual who—*

22 *“(i) served in the Armed Forces on or after April*
23 *6, 1917;*

24 *“(ii) is eligible for a headstone or marker fur-*
25 *nished under paragraph (1) or a medallion furnished*
26 *under paragraph (4) (or would be so eligible for such*

1 *headstone, marker, or medallion but for the date of*
2 *the death of the individual); and*

3 “(iii) *was awarded the Medal of Honor (includ-*
4 *ing posthumously).”.*

5 **SEC. 5. EXPANSION OF PRESIDENTIAL MEMORIAL CERTIFI-**
6 **CATE PROGRAM.**

7 *(a) IN GENERAL.—Section 112(a) of title 38, United*
8 *States Code, is amended by inserting after “conditions,” the*
9 *following: “persons eligible for burial in a national ceme-*
10 *tery by reason of paragraph (2), (3), or (7) of section*
11 *2402(a) of this title,”.*

12 *(b) APPLICATION.—The amendment made by sub-*
13 *section (a) shall apply with respect to the death of a person*
14 *eligible for burial in a national cemetery by reason of para-*
15 *graph (2), (3), or (7) of section 2402(a) of title 38, United*
16 *States Code, occurring before, on, or after the date of the*
17 *enactment of this Act.*

18 **SEC. 6. BURIAL PLOTS AT ARLINGTON NATIONAL CEME-**
19 **TERY FOR INDIVIDUALS AWARDED THE**
20 **MEDAL OF HONOR.**

21 *(a) RESERVATION.—Of the number of in-ground burial*
22 *plots available at Arlington National Cemetery as of the*
23 *date of the enactment of this Act, the Secretary of the Army*
24 *shall reserve 100 such plots to inter deceased individuals*
25 *who have been awarded the Medal of Honor.*

1 (b) *TERMINATION.*—*The requirement under subsection*
2 *(a) shall terminate on the date on which the Secretary of*
3 *the Army to the Committees on Veterans' Affairs and the*
4 *Committees on Armed Services of the House of Representa-*
5 *tives and the Senate a report on the interment and*
6 *inurnment capacity of Arlington National Cemetery that*
7 *includes—*

8 (1) *the estimated date that the Secretary deter-*
9 *mines the cemetery will reach maximum interment*
10 *and inurnment capacity; and*

11 (2) *in light of the unique and iconic meaning of*
12 *the cemetery to the United States, recommendations*
13 *for legislative actions and nonlegislative options that*
14 *the Secretary determines necessary to ensure that the*
15 *maximum interment and inurnment capacity of the*
16 *cemetery is not reached until well into the future, in-*
17 *cluding such actions and options with respect to—*

18 (A) *redefining eligibility criteria for inter-*
19 *ment and inurnment in the cemetery; and*

20 (B) *considerations for additional expansion*
21 *opportunities beyond the current boundaries of*
22 *the cemetery.*

1 **SEC. 7. PILOT PROGRAM ON DEPARTMENT OF VETERANS**
2 **AFFAIRS VETERAN ENGAGEMENT TEAM**
3 **EVENTS.**

4 (a) *IN GENERAL.*—

5 (1) *PILOT PROGRAM.*—*Beginning not later than*
6 *October 1, 2016, the Secretary of Veterans Affairs*
7 *shall carry out a three-year pilot program under*
8 *which the Secretary shall carry out events, to be*
9 *known as “Veteran Engagement Team events”. The*
10 *Secretary shall ensure that such events are carried*
11 *out—*

12 (A) *during the first year during which the*
13 *Secretary carries out the pilot program, at least*
14 *once a month in a location within the jurisdic-*
15 *tion of each of 10 regional offices of the Depart-*
16 *ment of Veterans Affairs, including at least two*
17 *regional offices in each of the five districts of the*
18 *Veterans Benefits Administration under the or-*
19 *ganization of such Administration in effect as of*
20 *the date of the enactment of this Act; and*

21 (B) *during each of the second and third*
22 *years during which the Secretary carries out the*
23 *pilot program, at least once a month in a loca-*
24 *tion within the jurisdiction of each of 15 re-*
25 *gional offices of the Department, including at*
26 *least three regional offices in each such district.*

1 (2) *VETERAN ENGAGEMENT TEAM EVENTS.*—

2 *During each Veteran Engagement Team event, the*

3 *Secretary shall provide assistance to veterans in com-*

4 *pleting and adjudicating claims for disability com-*

5 *ensation under chapter 11 of title 38, United States*

6 *Code, and for pension under chapter 15 of such title.*

7 *The Secretary shall ensure that—*

8 (A) *all Veteran Engagement Team events*

9 *occur during the normal business hours of the*

10 *sponsoring regional office;*

11 (B) *the events are carried out at different*

12 *locations within the jurisdiction of each regional*

13 *office and at least 50 miles from any regional of-*

14 *fice;*

15 (C) *a sufficient number of physicians (to be*

16 *available for opinions only), veteran service rep-*

17 *resentatives and rating veteran service represent-*

18 *atives, and other personnel are available at the*

19 *events to initiate, update, and finalize the com-*

20 *pletion and adjudication of claims;*

21 (D) *veterans service organizations have ac-*

22 *cess to the events for purposes of providing as-*

23 *sistance to veterans; and*

24 (E) *a veteran who is unable to complete*

25 *and adjudicate a claim at an event is informed*

1 *of what additional information or actions are*
2 *needed to finalize the claim.*

3 **(b) LOCATION.**—*In selecting locations for Veteran En-*
4 *gagement Team events under this section, the Secretary*
5 *shall—*

6 (1) *coordinate with veteran service organizations*
7 *and State and local veterans agencies; and*

8 (2) *seek to select locations that are community-*
9 *based and easily accessible.*

10 **(c) TRANSFER OF PERSONNEL.**—

11 (1) **PHYSICIANS.**—*The Secretary may not per-*
12 *manently transfer any physician employed by the*
13 *Veterans Health Administration for the purpose of*
14 *staffing a Veteran Engagement Team event.*

15 (2) **PAYMENT OF SALARIES.**—*Any amount pay-*
16 *able to an employee of the Department for work per-*
17 *formed at a Veteran Engagement Team event is pay-*
18 *able only from amounts otherwise available for the*
19 *payment of the salary of the employee. No additional*
20 *amounts are authorized to be appropriated under this*
21 *section for the payment of salaries for Department*
22 *employee.*

23 **(d) OTHER AUTHORITIES.**—*In carrying out the pilot*
24 *program under this section, the Secretary may—*

1 (1) *coordinate with States, local governments,*
2 *nonprofit organizations, and private sector entities to*
3 *use facilities to host Veteran Engagement Team events*
4 *for no or minimal costs; and*

5 (2) *accept, on a without compensation basis,*
6 *services provided by non-Department physicians in*
7 *rendering medical opinions relating to claims for*
8 *compensation and pension.*

9 (e) *CUSTOMER SATISFACTION SURVEYS.—In carrying*
10 *out the pilot program under this section, the Secretary shall*
11 *collect and analyze information about the customer satisfac-*
12 *tion of veterans who have received assistance at an Veteran*
13 *Engagement Team event.*

14 (f) *REPORTS.—Not later than April 30, 2017, and an-*
15 *nually thereafter beginning on October 1, 2017, for the du-*
16 *ration of the program, the Secretary shall submit to Con-*
17 *gress a report on the implementation and effectiveness of*
18 *the events. Such report shall include—*

19 (1) *the number and types of claims completed*
20 *and adjudicated at the events;*

21 (2) *the number and types of claims for which as-*
22 *stance was sought at the events that were not com-*
23 *pleted or adjudicated at the events and the reasons*
24 *such claims were not completed or adjudicated; and*

1 (3) *an analysis of the customer satisfaction of*
2 *veterans who have received assistance at an event*
3 *based on the information collected under subsection*
4 *(e).*

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