

In our subcommittee hearing on Mr. EVAN'S bill we heard eloquent testimony about the seriousness of the problem.

Veterans with claims for service-connected disabilities which were noted in their service medical records had those claims rejected as "not well-grounded."

Veterans being treated by VA physicians were denied VA medical opinions concerning the relationship between their disability and their military service and were thus unable to provide "nexus" statements VA required without purchasing medical opinions at their own expense.

Vietnam veterans with conditions presumed under law to be service-connected as a result of Agent Orange exposure had claims rejected as not well-grounded.

Medal of Honor winners and former Prisoners of War had their claims rejected.

This bill will rectify those errors. In addition, the bill contains very specific notice requirements. Even as a former college professor, I have found notices sent to veterans who contact my office, both here and in San Diego, to be virtually incomprehensible. The compromise bill passed by the Senate requires VA to inform veterans when additional information is needed. If VA is unable to obtain records identified by the claimant, VA is required to notify the claimant that the records were not obtained, describe the efforts made to obtain the records and describe the action to be taken by the Secretary. These provisions were inserted to assure that veterans are able to make informed decisions concerning their claims. I expect VA to provide this information in simple, plain, understandable English.

By passing H.R. 4864, this House agreed that veterans and other claimants have a right to have their claims fully developed and properly evaluated. The Senate has now agreed.

By passing this bill Congress will send a strong message to the VA and our Nation's veterans concerning our government's obligation to care for him who has borne the battle. I urge my colleagues to support this bill.

Mr. GILMAN. Madam Speaker, I rise today in strong support of H.R. 4864, the Veterans' Claims Assistance Act of 2000. I urge my colleagues to join in supporting this worthy legislation.

H.R. 4864, authorizes the Secretary of Veterans Affairs to assist a veteran claimant in obtaining evidence to establish an entitlement to a benefit. The bill achieves this by requiring the Secretary of Veterans Affairs to make reasonable efforts to obtain relevant records that the claimant identifies, unless there is no reasonable possibility that assistance would aid in substantiating the claim. Also, the measure eliminates the requirement that a claimant submit a "well-grounded" claim before the Secretary can assist in obtaining evidence.

For service-connected disability compensation claims, H.R. 4864 requires the Secretary to obtain existing service medical records and other relevant records pertaining to the claimant's active military, naval, or air service that are maintained by the Government if the claimant provides sufficient information to locate them, and provide a medical examination or obtain a medical opinion when such an examination (or opinion) is necessary to make a decision on the claim. The bill further requires other Federal agencies to furnish relevant records to the Department at no cost to the claimant.

Under the bill a "claimant" is a person who would be eligible to receive assistance from the Veterans Secretary as any person seeking veterans benefits. The Secretary would be required to give the benefit of the doubt to the claimant when there is an approximate balance of positive and negative evidence regarding an issue material to the determination of a matter.

Finally, H.R. 4864 permits veterans who had claims denied or dismissed after the court of appeals for veterans claims decision in *Morton v. West* to request review of those claims within a 2-year period following enactment.

Madam Speaker, the VA claims process was initially intended to be friendly to the veterans. In recent years, however, the system has been plagued by unacceptably long delays and far too many bureaucratic hurdles. Earlier this year, the House addressed the issue of timeliness. This bill seeks to remove one of the barriers that has recently arisen to block the successful resolution of many claims.

In July 1999, the court of appeals for veterans claims stated in the case of *Morton v. West* that the Veterans Administration (VA) could help a veteran obtain records relevant to a claim only after the veteran provided enough evidence to prove that the claim is "well-grounded."

This decision, not only prevents the VA from providing assistance to veterans, it has also led to confusion concerning the meaning and application of the "well grounded" claim requirement. H.R. 4864 clarifies the "well grounded" claim requirement and enables the VA to once again provide as much assistance as possible to veterans.

Accordingly, I urge my colleagues to support this important legislation.

Mr. STUMP. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. MORELLA). The question is on the motion offered by the gentleman from Arizona (Mr. STUMP) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 4864.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

VETERANS BENEFITS AND HEALTH CARE IMPROVEMENT ACT OF 2000

Mr. STUMP. Madam Speaker, I move to suspend the rules and concur in the Senate amendments to the House amendments to the Senate bill (S. 1402) to amend title 38, United States Code, to enhance programs providing education benefits for veterans, and for other purposes.

The Clerk read as follows:

Senate amendments to house amendments: In lieu of the matter proposed to be inserted by the House amendment to the text of the bill, insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Veterans Benefits and Health Care Improvement Act of 2000".

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

Sec. 1. Short title; table of contents.

Sec. 2. References to title 38, United States Code.

TITLE I—EDUCATIONAL ASSISTANCE PROVISIONS

Subtitle A—Montgomery GI Bill Educational Assistance

Sec. 101. Increase in rates of basic educational assistance under Montgomery GI Bill.

Sec. 102. Uniform requirement for high school diploma or equivalency before application for Montgomery GI Bill benefits.

Sec. 103. Repeal of requirement for initial obligated period of active duty as condition of eligibility for Montgomery GI Bill benefits.

Sec. 104. Additional opportunity for certain VEAP participants to enroll in basic educational assistance under Montgomery GI Bill.

Sec. 105. Increased active duty educational assistance benefit for contributing members.

Subtitle B—Survivors' and Dependents' Educational Assistance

Sec. 111. Increase in rates of survivors' and dependents' educational assistance.

Sec. 112. Election of certain recipients of commencement of period of eligibility for survivors' and dependents' educational assistance.

Sec. 113. Adjusted effective date for award of survivors' and dependents' educational assistance.

Sec. 114. Availability under survivors' and dependents' educational assistance of preparatory courses for college and graduate school entrance exams.

Subtitle C—General Educational Assistance

Sec. 121. Revision of educational assistance interval payment requirements.

Sec. 122. Availability of education benefits for payment for licensing or certification tests.

Sec. 123. Increase for fiscal years 2001 and 2002 in aggregate annual amount available for State approving agencies for administrative expenses.

TITLE II—HEALTH PROVISIONS

Subtitle A—Personnel Matters

Sec. 201. Annual national pay comparability adjustment for nurses employed by Department of Veterans Affairs.

Sec. 202. Special pay for dentists.

Sec. 203. Exemption for pharmacists from ceiling on special salary rates.

Sec. 204. Temporary full-time appointments of certain medical personnel.

Sec. 205. Qualifications of social workers.

Sec. 206. Physician assistant adviser to Under Secretary for Health.

Sec. 207. Extension of voluntary separation incentive payments.

Subtitle B—Military Service Issues

Sec. 211. Findings and sense of Congress concerning use of military histories of veterans in Department of Veterans Affairs health care.

Sec. 212. Study of post-traumatic stress disorder in Vietnam veterans.

Subtitle C—Medical Administration

Sec. 221. Department of Veterans Affairs Fisher Houses.

Sec. 222. Exception to recapture rule.

Sec. 223. Sense of Congress concerning cooperation between the Department of Veterans Affairs and the Department of Defense in the procurement of medical items.

Sec. 224. Technical and conforming changes.

- Subtitle D—Construction Authorization
- Sec. 231. Authorization of major medical facility projects.
- Sec. 232. Authorization of appropriations.
- Subtitle E—Real Property Matters
- Sec. 241. Change to enhanced use lease congressional notification period.
- Sec. 242. Release of reversionary interest of the United States in certain real property previously conveyed to the State of Tennessee.
- Sec. 243. Demolition, environmental cleanup, and reversion of Department of Veterans Affairs Medical Center, Allen Park, Michigan.
- Sec. 244. Conveyance of certain property at the Carl Vinson Department of Veterans Affairs Medical Center, Dublin, Georgia.
- Sec. 245. Land conveyance, Miles City Department of Veterans Affairs Medical Center complex, Miles City, Montana.
- Sec. 246. Conveyance of Fort Lyon Department of Veterans Affairs Medical Center, Colorado, to the State of Colorado.
- Sec. 247. Effect of closure of Fort Lyon Department of Veterans Affairs Medical Center on administration of health care for veterans.

TITLE III—COMPENSATION, INSURANCE, HOUSING, EMPLOYMENT, AND MEMORIAL AFFAIRS PROVISIONS

- Subtitle A—Compensation Program Changes
- Sec. 301. Strokes and heart attacks incurred or aggravated by members of reserve components in the performance of duty while performing inactive duty training to be considered to be service-connected.
- Sec. 302. Special monthly compensation for women veterans who lose a breast as a result of a service-connected disability.
- Sec. 303. Benefits for persons disabled by participation in compensated work therapy program.
- Sec. 304. Revision to limitation on payments of benefits to incompetent institutionalized veterans.
- Sec. 305. Review of dose reconstruction program of the Defense Threat Reduction Agency.
- Subtitle B—Life Insurance Matters
- Sec. 311. Premiums for term Service Disabled Veterans' Insurance for veterans older than age 70.
- Sec. 312. Increase in automatic maximum coverage under Servicemembers' Group Life Insurance and Veterans' Group Life Insurance.
- Sec. 313. Eligibility of certain members of the Individual Ready Reserve for Servicemembers' Group Life Insurance.

Subtitle C—Housing and Employment Programs

- Sec. 321. Elimination of reduction in assistance for specially adapted housing for disabled veterans for veterans having joint ownership of housing units.
- Sec. 322. Veterans employment emphasis under Federal contracts for recently separated veterans.
- Sec. 323. Employers required to grant leave of absence for employees to participate in honor guards for funerals of veterans.

Subtitle D—Cemeteries and Memorial Affairs

- Sec. 331. Eligibility for interment of certain Filipino veterans of World War II in national cemeteries.
- Sec. 332. Payment rate of certain burial benefits for certain Filipino veterans of World War II.

- Sec. 333. Plot allowance for burial in State veterans cemeteries.

TITLE IV—OTHER MATTERS

- Sec. 401. Benefits for the children of women Vietnam veterans who suffer from certain birth defects.
- Sec. 402. Extension of certain expiring authorities.
- Sec. 403. Preservation of certain reporting requirements.
- Sec. 404. Technical amendments.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—EDUCATIONAL ASSISTANCE PROVISIONS

Subtitle A—Montgomery GI Bill Educational Assistance

SEC. 101. INCREASE IN RATES OF BASIC EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.

(a) ACTIVE DUTY EDUCATIONAL ASSISTANCE.—Section 3015 is amended—

- (1) in subsection (a)(1), by striking “\$528” and inserting “\$650”; and
- (2) in subsection (b)(1), by striking “\$429” and inserting “\$528”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on November 1, 2000, and shall apply with respect to educational assistance allowances paid under chapter 30 of title 38, United States Code, for months after October 2000.

SEC. 102. UNIFORM REQUIREMENT FOR HIGH SCHOOL DIPLOMA OR EQUIVALENCY BEFORE APPLICATION FOR MONTGOMERY GI BILL BENEFITS.

(a) ACTIVE DUTY PROGRAM.—(1) Section 3011 is amended—

- (A) in subsection (a), by striking paragraph (2) and inserting the following new paragraph (2):

“(2) who completes the requirements of a secondary school diploma (or equivalency certificate), or successfully completes (or otherwise receives academic credit for) the equivalent of 12 semester hours in a program of education leading to a standard college degree, before applying for benefits under this section; and”;

(B) by striking subsection (e).

(2) Section 3017(a)(1)(A)(ii) is amended by striking “clause (2)(A)” and inserting “clause (2)”.

(b) SELECTED RESERVE PROGRAM.—Section 3012 is amended—

- (1) in subsection (a), by striking paragraph (2) and inserting the following new paragraph (2):

“(2) who completes the requirements of a secondary school diploma (or equivalency certificate), or successfully completes (or otherwise receives academic credit for) the equivalent of 12 semester hours in a program of education leading to a standard college degree, before applying for benefits under this section; and”;

(2) by striking subsection (f).

(c) WITHDRAWAL OF ELECTION NOT TO ENROLL.—Paragraph (4) of section 3018(b) is amended to read as follows:

“(4) before applying for benefits under this section—

“(A) completes the requirements of a secondary school diploma (or equivalency certificate); or

“(B) successfully completes (or otherwise receives academic credit for) the equivalent of 12 semester hours in a program of education leading to a standard college degree; and”.

(d) EDUCATIONAL ASSISTANCE PROGRAM FOR MEMBERS OF SELECTED RESERVE.—Paragraph (2) of section 16132(a) of title 10, United States Code, is amended to read as follows:

“(2) before applying for benefits under this section, has completed the requirements of a sec-

ondary school diploma (or an equivalency certificate);”.

(e) DELIMITING PERIOD.—(1) In the case of an individual described in paragraph (2), with respect to the time limitation under section 3031 of title 38, United States Code, for use of eligibility and entitlement of basic educational assistance under chapter 30 of such title, the 10-year period applicable under such section shall begin on the later of—

- (A) the date of the enactment of this Act; or
- (B) the date of the individual's last discharge or release from active duty.

(2) An individual referred to in paragraph (1) is an individual who—

(A) before the date of the enactment of this Act, was not eligible for such basic educational assistance by reason of the requirement of a secondary school diploma (or equivalency certificate) as a condition of eligibility for such assistance as in effect on the date preceding the date of the enactment of this Act; and

(B) becomes entitled to basic educational assistance under section 3011(a)(2), 3012(a)(2), or 3018(b)(4) of title 38, United States Code, by reason of the amendments made by this section.

SEC. 103. REPEAL OF REQUIREMENT FOR INITIAL OBLIGATED PERIOD OF ACTIVE DUTY AS CONDITION OF ELIGIBILITY FOR MONTGOMERY GI BILL BENEFITS.

(a) ACTIVE DUTY PROGRAM.—Section 3011 is amended—

- (1) in subsection (a)(1)(A)—

(A) by striking clause (i) and inserting the following new clause (i):

“(i) who serves an obligated period of active duty of at least two years of continuous active duty in the Armed Forces; or”;

(B) in clause (ii)(II), by striking “in the case of an individual who completed not less than 20 months” and all that follows through “was at least three years” and inserting “if, in the case of an individual with an obligated period of service of two years, the individual completes not less than 20 months of continuous active duty under that period of obligated service, or, in the case of an individual with an obligated period of service of at least three years, the individual completes not less than 30 months of continuous active duty under that period of obligated service”;

(2) in subsection (d)(1), by striking “individual's initial obligated period of active duty” and inserting “obligated period of active duty on which an individual's entitlement to assistance under this section is based”;

(3) in subsection (h)(2)(A), by striking “during an initial period of active duty,” and inserting “during the obligated period of active duty on which entitlement to assistance under this section is based,”; and

(4) in subsection (i), by striking “initial”.

(b) SELECTED RESERVE PROGRAM.—Section 3012 is amended—

(1) in subsection (a)(1)(A)(i), by striking “, as the individual's” and all that follows through “Armed Forces” and inserting “an obligated period of active duty of at least two years of continuous active duty in the Armed Forces”; and

(2) in subsection (e)(1), by striking “initial”.

(c) DURATION OF ASSISTANCE.—Section 3013 is amended—

(1) in subsection (a)(2), by striking “individual's initial obligated period of active duty” and inserting “obligated period of active duty on which such entitlement is based”; and

(2) in subsection (b)(1), by striking “individual's initial obligated period of active duty” and inserting “obligated period of active duty on which such entitlement is based”.

(d) AMOUNT OF ASSISTANCE.—Section 3015 is amended—

(1) in the second sentence of subsection (a), by inserting before “a basic educational assistance allowance” the following: “in the case of an individual entitled to an educational assistance allowance under this chapter whose obligated

period of active duty on which such entitlement is based is three years.”;

(2) in subsection (b), by striking “and whose initial obligated period of active duty is two years,” and inserting “whose obligated period of active duty on which such entitlement is based is two years.”; and

(3) in subsection (c)(2), by striking subparagraphs (A) and (B) and inserting the following new subparagraphs (A) and (B):

“(A) whose obligated period of active duty on which such entitlement is based is less than three years;

“(B) who, beginning on the date of the commencement of such obligated period of active duty, serves a continuous period of active duty of not less than three years; and”.

(e) DELIMITING PERIOD.—(1) In the case of an individual described in paragraph (2), with respect to the time limitation under section 3031 of title 38, United States Code, for use of eligibility and entitlement of basic educational assistance under chapter 30 of such title, the 10-year period applicable under such section shall begin on the later of—

(A) the date of the enactment of this Act; or
(B) the date of the individual’s last discharge or release from active duty.

(2) An individual referred to in paragraph (1) is an individual who—

(A) before the date of the enactment of this Act, was not eligible for basic educational assistance under chapter 30 of such title by reason of the requirement of an initial obligated period of active duty as condition of eligibility for such assistance as in effect on the date preceding the date of the enactment of this Act; and

(B) on or after such date becomes eligible for such assistance by reason of the amendments made by this section.

SEC. 104. ADDITIONAL OPPORTUNITY FOR CERTAIN VEAP PARTICIPANTS TO ENROLL IN BASIC EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.

(a) SPECIAL ENROLLMENT PERIOD.—Section 3018C is amended by adding at the end the following new subsection:

“(e)(1) A qualified individual (described in paragraph (2)) may make an irrevocable election under this subsection, during the one-year period beginning on the date of the enactment of this subsection, to become entitled to basic educational assistance under this chapter. Such an election shall be made in the same manner as elections made under subsection (a)(5).

“(2) A qualified individual referred to in paragraph (1) is an individual who meets each of the following requirements:

“(A) The individual was a participant in the educational benefits program under chapter 32 of this title on or before October 9, 1996.

“(B) The individual has continuously served on active duty since October 9, 1996 (excluding the periods referred to in section 3202(1)(C) of this title), through at least April, 1, 2000.

“(C) The individual meets the requirements of subsection (a)(3).

“(D) The individual, when discharged or released from active duty, is discharged or released therefrom with an honorable discharge.

“(3)(A) Subject to the succeeding provisions of this paragraph, with respect to a qualified individual who makes an election under paragraph (1) to become entitled to basic education assistance under this chapter—

“(i) the basic pay of the qualified individual shall be reduced (in a manner determined by the Secretary concerned) until the total amount by which such basic pay is reduced is \$2,700; and

“(ii) to the extent that basic pay is not so reduced before the qualified individual’s discharge or release from active duty as specified in subsection (a)(4), at the election of the qualified individual—

“(I) the Secretary concerned shall collect from the qualified individual; or

“(II) the Secretary concerned shall reduce the retired or retainer pay of the qualified individual by,

an amount equal to the difference between \$2,700 and the total amount of reductions under clause (i), which shall be paid into the Treasury of the United States as miscellaneous receipts.

“(B)(i) The Secretary concerned shall provide for an 18-month period, beginning on the date the qualified individual makes an election under paragraph (1), for the qualified individual to pay that Secretary the amount due under subparagraph (A).

“(ii) Nothing in clause (i) shall be construed as modifying the period of eligibility for and entitlement to basic education assistance under this chapter applicable under section 3031 of this title.

“(C) The provisions of subsection (c) shall apply to qualified individuals making elections under this subsection in the same manner as they applied to individuals making elections under subsection (a)(5).

“(4) With respect to qualified individuals referred to in paragraph (3)(A)(ii), no amount of educational assistance allowance under this chapter shall be paid to the qualified individual until the earlier of the date on which—

“(A) the Secretary concerned collects the applicable amount under subclause (I) of such paragraph; or

“(B) the retired or retainer pay of the qualified individual is first reduced under subclause (II) of such paragraph.

“(5) The Secretary, in conjunction with the Secretary of Defense, shall provide for notice to participants in the educational benefits program under chapter 32 of this title of the opportunity under this subsection to elect to become entitled to basic educational assistance under this chapter.”.

(b) CONFORMING AMENDMENT.—Section 3018C(b) is amended by striking “subsection (a)” and inserting “subsection (a) or (e)”.

(c) COORDINATION PROVISIONS.—(1) If this Act is enacted before the provisions of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 are enacted into law, section 1601 of that Act, including the amendments made by that section, shall not take effect. If this Act is enacted after the provisions of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 are enacted into law, then as of the enactment of this Act, the amendments made by section 1601 of that Act shall be deemed for all purposes not to have taken effect and that section shall cease to be in effect.

(2) If the Veterans Claims Assistance Act of 2000 is enacted before the provisions of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 are enacted into law, section 1611 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, including the amendments made by that section, shall not take effect. If the Veterans Claims Assistance Act of 2000 is enacted after the provisions of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 are enacted into law, then as of the enactment of the Veterans Claims Assistance Act of 2000, the amendments made by section 1611 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 shall be deemed for all purposes not to have taken effect and that section shall cease to be in effect.

SEC. 105. INCREASED ACTIVE DUTY EDUCATIONAL ASSISTANCE BENEFIT FOR CONTRIBUTING MEMBERS.

(a) AUTHORITY TO MAKE CONTRIBUTIONS FOR INCREASED ASSISTANCE AMOUNT.—(1) Section 3011, as amended by section 102(a)(1)(B), is amended by inserting after subsection (d) the following new subsection (e):

“(e)(1) Any individual eligible for educational assistance under this section who does not make an election under subsection (c)(1) may contribute amounts for purposes of receiving an increased amount of basic educational assistance as provided for under section 3015(g) of this title. Such contributions shall be in addition to

any reductions in the basic pay of such individual under subsection (b).

“(2) An individual covered by paragraph (1) may make the contributions authorized by that paragraph at any time while on active duty.

“(3) The total amount of the contributions made by an individual under paragraph (1) may not exceed \$600. Such contributions shall be made in multiples of \$4.

“(4) Contributions under this subsection shall be made to the Secretary. The Secretary shall deposit any amounts received by the Secretary as contributions under this subsection into the Treasury as miscellaneous receipts.”.

(2) Section 3012, as amended by section 102(b)(2), is amended by inserting after subsection (e) the following new subsection (f):

“(f)(1) Any individual eligible for educational assistance under this section who does not make an election under subsection (d)(1) may contribute amounts for purposes of receiving an increased amount of basic educational assistance as provided for under section 3015(g) of this title. Such contributions shall be in addition to any reductions in the basic pay of such individual under subsection (c).

“(2) An individual covered by paragraph (1) may make the contributions authorized by that paragraph at any time while on active duty.

“(3) The total amount of the contributions made by an individual under paragraph (1) may not exceed \$600. Such contributions shall be made in multiples of \$4.

“(4) Contributions under this subsection shall be made to the Secretary. The Secretary shall deposit any amounts received by the Secretary as contributions under this subsection into the Treasury as miscellaneous receipts.”.

(b) INCREASED ASSISTANCE AMOUNT.—Section 3015 is amended—

(1) by striking “subsection (g)” each place it appears in subsections (a)(1) and (b)(1) and inserting “subsection (h)”;

(2) by redesignating subsection (g) as subsection (h); and

(3) by inserting after subsection (f) the following new subsection (g):

“(g) In the case of an individual who has made contributions authorized by section 3011(e) or 3012(f) of this title, the monthly amount of basic educational assistance allowance applicable to such individual under subsection (a), (b), or (c) shall be the monthly rate otherwise provided for under the applicable subsection increased by—

“(1) an amount equal to \$1 for each \$4 contributed by such individual under section 3011(e) or 3012(f), as the case may be, for an approved program of education pursued on a full-time basis; or

“(2) an appropriately reduced amount based on the amount so contributed, as determined under regulations which the Secretary shall prescribe, for an approved program of education pursued on less than a full-time basis.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on May 1, 2001.

(d) TRANSITIONAL PROVISION FOR INDIVIDUALS DISCHARGED BETWEEN ENACTMENT AND EFFECTIVE DATE.—(1) During the period beginning on May 1, 2001, and ending on July 31, 2001, an individual described in paragraph (2) may make contributions under section 3011(e) or 3012(f) of title 38, United States Code (as added by subsection (a)), whichever is applicable to that individual, without regard to paragraph (2) of that section and otherwise in the same manner as an individual eligible for educational assistance under chapter 30 of such title who is on active duty.

(2) Paragraph (1) applies in the case of an individual who—

(A) is discharged or released from active duty during the period beginning on the date of the enactment of this Act and ending on April 30, 2001; and

(B) is eligible for educational assistance under chapter 30 of title 38, United States Code.

Subtitle B—Survivors' and Dependents' Educational Assistance

SEC. 111. INCREASE IN RATES OF SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE.

(a) SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE.—Section 3532 is amended—

(1) in subsection (a)(1)—
 (A) by striking “\$485” and inserting “\$588”;
 (B) by striking “\$365” and inserting “\$441”;
 and

(C) by striking “\$242” and inserting “\$294”;
 (2) in subsection (a)(2), by striking “\$485” and inserting “\$588”;

(3) in subsection (b), by striking “\$485” and inserting “\$588”; and

(4) in subsection (c)(2)—
 (A) by striking “\$392” and inserting “\$475”;
 (B) by striking “\$294” and inserting “\$356”;

and

(C) by striking “\$196” and inserting “\$238”.

(b) CORRESPONDENCE COURSE.—Section 3534(b) is amended by striking “\$485” and inserting “\$588”.

(c) SPECIAL RESTORATIVE TRAINING.—Section 3542(a) is amended—
 (1) by striking “\$485” and inserting “\$588”;

(2) by striking “\$152” each place it appears and inserting “\$184”; and

(3) by striking “\$16.16” and all that follows and inserting “such increased amount of allowance that is equal to one-thirtieth of the full-time basic monthly rate of special training allowance.”.

(d) APPRENTICESHIP TRAINING.—Section 3687(b)(2) is amended—

(1) by striking “\$353” and inserting “\$428”;

(2) by striking “\$264” and inserting “\$320”;

(3) by striking “\$175” and inserting “\$212”;

and

(4) by striking “\$88” and inserting “\$107”.

(e) EFFECTIVE DATE.—The amendments made by subsections (a) through (d) shall take effect on November 1, 2000, and shall apply with respect to educational assistance allowances paid under chapter 35 of title 38, United States Code, for months after October 2000.

(f) ANNUAL ADJUSTMENTS TO AMOUNTS OF ASSISTANCE.—

(1) CHAPTER 35.—(A) Subchapter VI of chapter 35 is amended by adding at the end the following new section:

“§3564. Annual adjustment of amounts of educational assistance

“With respect to any fiscal year, the Secretary shall provide a percentage increase (rounded to the nearest dollar) in the rates payable under sections 3532, 3534(b), and 3542(a) of this title equal to the percentage by which—

“(1) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

“(2) such Consumer Price Index for the 12-month period preceding the 12-month period described in paragraph (1).”.

(B) The table of sections at the beginning of chapter 35 is amended by inserting after the item relating to section 3563 the following new item: “3564. Annual adjustment of amounts of educational assistance.”.

(2) CHAPTER 36.—Section 3687 is amended by adding at the end the following new subsection:

“(d) With respect to any fiscal year, the Secretary shall provide a percentage increase (rounded to the nearest dollar) in the rates payable under subsection (b)(2) equal to the percentage by which—

“(1) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

“(2) such Consumer Price Index for the 12-month period preceding the 12-month period described in paragraph (1).”.

(3) EFFECTIVE DATE.—Sections 3654 and 3687(d) of title 38, United States Code, as added by this subsection, shall take effect on October 1, 2001.

SEC. 112. ELECTION OF CERTAIN RECIPIENTS OF COMMENCEMENT OF PERIOD OF ELIGIBILITY FOR SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE.

Section 3512(a)(3) is amended by striking “8 years after,” and all that follows through the end and inserting “8 years after the date that is elected by that person to be the beginning date of entitlement under section 3511 of this title or subchapter V of this chapter if—

“(A) the Secretary approves that beginning date;

“(B) the eligible person makes that election after the person's eighteenth birthday but before the person's twenty-sixth birthday; and

“(C) that beginning date—

“(i) in the case of a person whose eligibility is based on a parent who has a service-connected total disability permanent in nature, is between the dates described in subsection (d); and

“(ii) in the case of a person whose eligibility is based on the death of a parent, is between—

“(I) the date of the parent's death; and
 “(II) the date of the Secretary's decision that the death was service-connected.”.

SEC. 113. ADJUSTED EFFECTIVE DATE FOR AWARD OF SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Section 5113 is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) in subsection (a), by striking “subsection (b) of this section” and inserting “subsections (b) and (c)”; and

(3) by inserting after subsection (a) the following new subsection:

“(b)(1) When determining the effective date of an award under chapter 35 of this title for an individual described in paragraph (2) based on an original claim, the Secretary may consider the individual's application as having been filed on the eligibility date of the individual if that eligibility date is more than one year before the date of the initial rating decision.

“(2) An individual referred to in paragraph (1) is an eligible person who—

“(A) submits to the Secretary an original application for educational assistance under chapter 35 of this title within one year of the date that the Secretary makes the rating decision;

“(B) claims such educational assistance for pursuit of an approved program of education during a period preceding the one-year period ending on the date on which the application was received by the Secretary; and

“(C) would have been entitled to such educational assistance for such course pursuit if the individual had submitted such an application on the individual's eligibility date.

“(3) In this subsection:

“(A) The term ‘eligibility date’ means the date on which an individual becomes an eligible person.

“(B) The term ‘eligible person’ has the meaning given that term under section 3501(a)(1) of this title under subparagraph (A)(i), (A)(ii), (B), or (D) of such section by reason of either (i) the service-connected death or (ii) service-connected total disability permanent in nature of the veteran from whom such eligibility is derived.

“(C) The term ‘initial rating decision’ means with respect to an eligible person a decision made by the Secretary that establishes (i) service connection for such veteran's death or (ii) the existence of such veteran's service-connected total disability permanent in nature, as the case may be.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to applications first made under section 3513 of title 38, United States Code, that—

(1) are received on or after the date of the enactment of this Act; or

(2) on the date of the enactment of this Act, are pending (A) with the Secretary of Veterans Affairs, or (B) exhaustion of available administrative and judicial remedies.

SEC. 114. AVAILABILITY UNDER SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE OF PREPARATORY COURSES FOR COLLEGE AND GRADUATE SCHOOL ENTRANCE EXAMS.

(a) IN GENERAL.—Section 3501(a)(5) is amended by adding at the end the following new sentence: “Such term also includes any preparatory course described in section 3002(3)(B) of this title.”.

(b) SCOPE OF AVAILABILITY.—Section 3512(a) is amended—

(1) by striking “and” at the end of clause (5);

(2) by striking the period at the end of clause (6) and inserting “; and”; and

(3) by adding at the end the following:

“(7) if the person is pursuing a preparatory course described in section 3002(3)(B) of this title, such period may begin on the date that is the first day of such course pursuit, notwithstanding that such date may be before the person's eighteenth birthday, except that in no case may such person be afforded educational assistance under this chapter for pursuit of secondary schooling unless such course pursuit would otherwise be authorized under this subsection.”.

Subtitle C—General Educational Assistance

SEC. 121. REVISION OF EDUCATIONAL ASSISTANCE INTERVAL PAYMENT REQUIREMENTS.

(a) IN GENERAL.—Subclause (C) of the third sentence of section 3680(a) is amended to read as follows:

“(C) during periods between school terms where the educational institution certifies the enrollment of the eligible veteran or eligible person on an individual term basis if (i) the period between those terms does not exceed eight weeks, and (ii) both the terms preceding and following the period are not shorter in length than the period.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to payments of educational assistance under title 38, United States Code, for months beginning on or after the date of the enactment of this Act.

SEC. 122. AVAILABILITY OF EDUCATION BENEFITS FOR PAYMENT FOR LICENSING OR CERTIFICATION TESTS.

(a) IN GENERAL.—Sections 3452(b) and 3501(a)(5) (as amended by section 114(a)) are each amended by adding at the end the following new sentence: “Such term also includes licensing or certification tests, the successful completion of which demonstrates an individual's possession of the knowledge or skill required to enter into, maintain, or advance in employment in a predetermined and identified vocation or profession, provided such tests and the licensing or credentialing organizations or entities that offer such tests are approved by the Secretary in accordance with section 3689 of this title.”.

(b) AMOUNT OF PAYMENT.—

(1) CHAPTER 30.—Section 3032 is amended by adding at the end the following new subsection:

“(f)(1) Subject to paragraph (3), the amount of educational assistance payable under this chapter for a licensing or certification test described in section 3452(b) of this title is the lesser of \$2,000 or the fee charged for the test.

“(2) The number of months of entitlement charged in the case of any individual for such licensing or certification test is equal to the number (including any fraction) determined by dividing the total amount of educational assistance paid such individual for such test by the full-time monthly institutional rate of educational assistance which, except for paragraph (1), such individual would otherwise be paid under subsection (a)(1), (b)(1), (d), or (e)(1) of section 3015 of this title, as the case may be.

“(3) In no event shall payment of educational assistance under this subsection for such a test

exceed the amount of the individual's available entitlement under this chapter."

(2) CHAPTER 32.—Section 3232 is amended by adding at the end the following new subsection:

"(c)(1) Subject to paragraph (3), the amount of educational assistance payable under this chapter for a licensing or certification test described in section 3452(b) of this title is the lesser of \$2,000 or the fee charged for the test.

"(2) The number of months of entitlement charged in the case of any individual for such licensing or certification test is equal to the number (including any fraction) determined by dividing the total amount paid to such individual for such test by the full-time monthly institutional rate of the educational assistance allowance which, except for paragraph (1), such individual would otherwise be paid under this chapter.

"(3) In no event shall payment of educational assistance under this subsection for such a test exceed the amount of the individual's available entitlement under this chapter."

(3) CHAPTER 34.—Section 3482 is amended by adding at the end the following new subsection:

"(h)(1) Subject to paragraph (3), the amount of educational assistance payable under this chapter for a licensing or certification test described in section 3452(b) of this title is the lesser of \$2,000 or the fee charged for the test.

"(2) The number of months of entitlement charged in the case of any individual for such licensing or certification test is equal to the number (including any fraction) determined by dividing the total amount paid to such individual for such test by the full-time monthly institutional rate of the educational assistance allowance which, except for paragraph (1), such individual would otherwise be paid under this chapter.

"(3) In no event shall payment of educational assistance under this subsection for such a test exceed the amount of the individual's available entitlement under this chapter."

(4) CHAPTER 35.—Section 3532 is amended by adding at the end the following new subsection:

"(f)(1) Subject to paragraph (3), the amount of educational assistance payable under this chapter for a licensing or certification test described in section 3501(a)(5) of this title is the lesser of \$2,000 or the fee charged for the test.

"(2) The number of months of entitlement charged in the case of any individual for such licensing or certification test is equal to the number (including any fraction) determined by dividing the total amount paid to such individual for such test by the full-time monthly institutional rate of the educational assistance allowance which, except for paragraph (1), such individual would otherwise be paid under this chapter.

"(3) In no event shall payment of educational assistance under this subsection for such a test exceed the amount of the individual's available entitlement under this chapter."

(c) REQUIREMENTS FOR LICENSING AND CREDENTIALING TESTING.—(1) Chapter 36 is amended by inserting after section 3688 the following new section:

"§3689. Approval requirements for licensing and certification testing

"(a) IN GENERAL.—(1) No payment may be made for a licensing or certification test described in section 3452(b) or 3501(a)(5) of this title unless the Secretary determines that the requirements of this section have been met with respect to such test and the organization or entity offering the test. The requirements of approval for tests and organizations or entities offering tests shall be in accordance with the provisions of this chapter and chapters 30, 32, 34, and 35 of this title and with regulations prescribed by the Secretary to carry out this section.

"(2) To the extent that the Secretary determines practicable, State approving agencies may, in lieu of the Secretary, approve licensing

and certification tests, and organizations and entities offering such tests, under this section.

"(b) REQUIREMENTS FOR TESTS.—(1) Subject to paragraph (2), a licensing or certification test is approved for purposes of this section only if—

"(A) the test is required under Federal, State, or local law or regulation for an individual to enter into, maintain, or advance in employment in a predetermined and identified vocation or profession; or

"(B) the Secretary determines that the test is generally accepted, in accordance with relevant government, business, or industry standards, employment policies, or hiring practices, as attesting to a level of knowledge or skill required to qualify to enter into, maintain, or advance in employment in a predetermined and identified vocation or profession.

"(2) A licensing or certification test offered by a State, or a political subdivision of a State, is deemed approved by the Secretary for purposes of this section.

"(c) REQUIREMENTS FOR ORGANIZATIONS OR ENTITIES OFFERING TESTS.—(1) Each organization or entity that is not an entity of the United States, a State, or political subdivision of a State, that offers a licensing or certification test for which payment may be made under chapter 30, 32, 34, or 35 of this title and that meets the following requirements, shall be approved by the Secretary to offer such test:

"(A) The organization or entity certifies to the Secretary that the licensing or certification test offered by the organization or entity is generally accepted, in accordance with relevant government, business, or industry standards, employment policies, or hiring practices, as attesting to a level of knowledge or skill required to qualify to enter into, maintain, or advance in employment in a predetermined and identified vocation or profession.

"(B) The organization or entity is licensed, chartered, or incorporated in a State and has offered the test for a minimum of two years before the date on which the organization or entity first submits to the Secretary an application for approval under this section.

"(C) The organization or entity employs, or consults with, individuals with expertise or substantial experience with respect to all areas of knowledge or skill that are measured by the test and that are required for the license or certificate issued.

"(D) The organization or entity has no direct financial interest in—

"(i) the outcome of the test; or

"(ii) organizations that provide the education or training of candidates for licenses or certificates required for vocations or professions.

"(E) The organization or entity maintains appropriate records with respect to all candidates who take the test for a period prescribed by the Secretary, but in no case for a period of less than three years.

"(F)(i) The organization or entity promptly issues notice of the results of the test to the candidate for the license or certificate.

"(ii) The organization or entity has in place a process to review complaints submitted against the organization or entity with respect to the test or the process for obtaining a license or certificate required for vocations or professions.

"(G) The organization or entity furnishes to the Secretary such information with respect to the test as the Secretary requires to determine whether payment may be made for the test under chapter 30, 32, 34, or 35 of this title, including personal identifying information, fee payment, and test results. Such information shall be furnished in the form prescribed by the Secretary.

"(H) The organization or entity furnishes to the Secretary the following information:

"(i) A description of the licensing or certification test offered by the organization or entity, including the purpose of the test, the vocational, professional, governmental, and other entities that recognize the test, and the license

of certificate issued upon successful completion of the test.

"(ii) The requirements to take the test, including the amount of the fee charged for the test and any prerequisite education, training, skills, or other certification.

"(iii) The period for which the license or certificate awarded upon successful completion of the test is valid, and the requirements for maintaining or renewing the license or certificate.

"(I) Upon request of the Secretary, the organization or entity furnishes such information to the Secretary that the Secretary determines necessary to perform an assessment of—

"(i) the test conducted by the organization or entity as compared to the level of knowledge or skills that a license or certificate attests; and

"(ii) the applicability of the test over such periods of time as the Secretary determines appropriate.

"(2) With respect to each organization or entity that is an entity of the United States, a State, or political subdivision of a State, that offers a licensing or certification test for which payment may be made under 30, 32, 34, or 35 of this title, the following provisions of paragraph (1) shall apply to the entity: subparagraphs (E), (F), (G), and (H).

"(d) ADMINISTRATION.—Except as otherwise specifically provided in this section or chapter 30, 32, 34, or 35 of this title, in implementing this section and making payment under any such chapter for a licensing or certification test, the test is deemed to be a 'course' and the organization or entity that offers such test is deemed to be an 'institution' or 'educational institution', respectively, as those terms are applied under and for purposes of sections 3671, 3673, 3674, 3678, 3679, 3681, 3682, 3683, 3685, 3690, and 3696 of this title.

"(e) PROFESSIONAL CERTIFICATION AND LICENSURE ADVISORY COMMITTEE.—(1) There is established within the Department a committee to be known as the Professional Certification and Licensure Advisory Committee (hereinafter in this section referred to as the 'Committee').

"(2) The Committee shall advise the Secretary with respect to the requirements of organizations or entities offering licensing and certification tests to individuals for which payment for such tests may be made under chapter 30, 32, 34, or 35 of this title, and such other related issues as the Committee determines to be appropriate.

"(3)(A) The Secretary shall appoint seven individuals with expertise in matters relating to licensing and certification tests to serve as members of the Committee.

"(B) The Secretary of Labor and the Secretary of Defense shall serve as ex officio members of the Committee.

"(C) A vacancy in the Committee shall be filled in the manner in which the original appointment was made.

"(4)(A) The Secretary shall appoint the chairman of the Committee.

"(B) The Committee shall meet at the call of the chairman.

"(5) The Committee shall terminate December 31, 2006."

(2) The table of sections at the beginning of chapter 36 is amended by inserting after the item relating to section 3688 the following new item: "3689. Approval requirements for licensing and certification testing."

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on March 1, 2001, and shall apply with respect to licensing and certification tests approved by the Secretary on Veterans Affairs on or after such date.

(e) STARTUP FUNDING.—From amounts appropriated to the Department of Veterans Affairs for fiscal year 2001 for readjustment benefits, the Secretary of Veterans Affairs shall use an amount not to exceed \$3,000,000 to develop the systems and procedures required to make payments under chapters 30, 32, 34, and 35 of title

38, United States Code, for licensing and certification tests.

SEC. 123. INCREASE FOR FISCAL YEARS 2001 AND 2002 IN AGGREGATE ANNUAL AMOUNT AVAILABLE FOR STATE APPROVING AGENCIES FOR ADMINISTRATIVE EXPENSES.

Section 3674(a)(4) is amended—

(1) in the first sentence, by inserting “or, for each of fiscal years 2001 and 2002, \$14,000,000” after “\$13,000,000”; and

(2) in the second sentence, by striking “\$13,000,000” both places it appears and inserting “the amount applicable to that fiscal year under the preceding sentence”.

TITLE II—HEALTH PROVISIONS

Subtitle A—Personnel Matters

SEC. 201. ANNUAL NATIONAL PAY COMPARABILITY ADJUSTMENT FOR NURSES EMPLOYED BY DEPARTMENT OF VETERANS AFFAIRS.

(a) REVISED PAY ADJUSTMENT PROCEDURES.—

(1) Subsection (d) of section 7451 is amended—

(A) in paragraph (1)—

(i) by striking “The rates” and inserting “Subject to subsection (e), the rates”; and

(ii) in subparagraph (A)—

(I) by striking “section 5305” and inserting “section 5303”; and

(II) by inserting “and to be by the same percentage” after “to have the same effective date”;

(B) in paragraph (2), by striking “Such” in the second sentence and inserting “Except as provided in paragraph (1)(A), such”;

(C) in paragraph (3)(B)—

(i) by inserting after the first sentence the following new sentence: “To the extent practicable, the director shall use third-party industry wage surveys to meet the requirements of the preceding sentence.”;

(ii) by inserting before the penultimate sentence the following new sentence: “To the extent practicable, all surveys conducted pursuant to this subparagraph or subparagraph (A) shall include the collection of salary midpoints, actual salaries, lowest and highest salaries, average salaries, bonuses, incentive pays, differential pays, actual beginning rates of pay, and such other information needed to meet the purpose of this section.”; and

(iii) in the penultimate sentence, by inserting “or published” after “completed”; and

(D) by striking clause (iii) of paragraph (3)(C).

(2) Subsection (e) of such section is amended to read as follows:

“(e)(1) An adjustment in a rate of basic pay under subsection (d) may not reduce the rate of basic pay applicable to any grade of a covered position.

“(2) The director of a Department health-care facility, in determining whether to carry out a wage survey under subsection (d)(3) with respect to rates of basic pay for a grade of a covered position, may not consider as a factor in such determination the absence of a current recruitment or retention problem for personnel in that grade of that position. The director shall make such a determination based upon whether, in accordance with criteria established by the Secretary, there is a significant pay-related staffing problem at that facility in any grade for a position. If the director determines that there is such a problem, or that such a problem is likely to exist in the near future, the Director shall provide for a wage survey in accordance with subsection (d)(3).

“(3) The Under Secretary for Health may, to the extent necessary to carry out the purposes of subsection (d), modify any determination made by the director of a Department health-care facility with respect to adjusting the rates of basic pay applicable to covered positions. If the determination of the director would result in an adjustment in rates of basic pay applicable to covered positions, any action by the Under Sec-

retary under the preceding sentence shall be made before the effective date of such pay adjustment. Upon such action by the Under Secretary, any adjustment shall take effect on the first day of the first pay period beginning after such action. The Secretary shall ensure that the Under Secretary establishes a mechanism for the timely exercise of the authority in this paragraph.

“(4) Each director of a Department health-care facility shall provide to the Secretary, not later than July 31 each year, a report on staffing for covered positions at that facility. The report shall include the following:

“(A) Information on turnover rates and vacancy rates for each grade in a covered position, including a comparison of those rates with the rates for the preceding three years.

“(B) The director’s findings concerning the review and evaluation of the facility’s staffing situation, including whether there is, or is likely to be, in accordance with criteria established by the Secretary, a significant pay-related staffing problem at that facility for any grade of a covered position and, if so, whether a wage survey was conducted, or will be conducted with respect to that grade.

“(C) In any case in which the director conducts such a wage survey during the period covered by the report, information describing the survey and any actions taken or not taken based on the survey, and the reasons for taking (or not taking) such actions.

“(D) In any case in which the director, after finding that there is, or is likely to be, in accordance with criteria established by the Secretary, a significant pay-related staffing problem at that facility for any grade of a covered position, determines not to conduct a wage survey with respect to that position, a statement of the reasons why the director did not conduct such a survey.

“(5) Not later than September 30 of each year, the Secretary shall submit to the Committees on Veterans’ Affairs of the Senate and House of Representatives a report on staffing for covered positions at Department health care facilities. Each such report shall include the following:

“(A) A summary and analysis of the information contained in the most recent reports submitted by facility directors under paragraph (4).

“(B) The information for each such facility specified in paragraph (4).”.

(3) Subsection (f) of such section is amended—

(A) by striking “February 1 of 1991, 1992, and 1993” and inserting “March 1 of each year”; and

(B) by striking “subsection (d)(1)(A)” and inserting “subsection (d)”.

(4) Such section is further amended by striking subsection (g) and redesignating subsection (h) as subsection (g).

(b) REQUIRED CONSULTATIONS WITH NURSES.—(1) Subchapter II of chapter 73 is further amended by adding at the end the following new section:

“§ 7323. Required consultations with nurses

“The Under Secretary for Health shall ensure that—

“(1) the director of a geographic service area, in formulating policy relating to the provision of patient care, shall consult regularly with a senior nurse executive or senior nurse executives; and

“(2) the director of a medical center shall include a registered nurse as a member of any committee used at that medical center to provide recommendations or decisions on medical center operations or policy affecting clinical services, clinical outcomes, budget, or resources.”.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 7322 the following new item:

“7323. Required consultations with nurses.”.

SEC. 202. SPECIAL PAY FOR DENTISTS.

(a) FULL-TIME STATUS PAY.—Paragraph (1) of section 7435(b) is amended by striking “\$3,500” and inserting “\$9,000”.

(b) TENURE PAY.—The table in paragraph (2)(A) of that section is amended to read as follows:

“Length of Service	Rate	
	Minimum	Maximum
1 year but less than 2 years	\$1,000	\$2,000
2 years but less than 4 years	4,000	5,000
4 years but less than 8 years	5,000	8,000
8 years but less than 12 years ..	8,000	12,000
12 years but less than 20 years ..	12,000	15,000
20 years or more	15,000	18,000”.

(c) SCARCE SPECIALTY PAY.—Paragraph (3)(A) of that section is amended by striking “\$20,000” and inserting “\$30,000”.

(d) RESPONSIBILITY PAY.—(1) The table in paragraph (4)(A) of that section is amended to read as follows:

“Position	Rate	
	Minimum	Maximum
Chief of Staff or in an Executive Grade	\$14,500	\$25,000
Director Grade	0	25,000
Service Chief (or in a comparable position as determined by the Secretary)	4,500	15,000”.

(2) The table in paragraph (4)(B) of that section is amended to read as follows:

“Position	Rate	
	Minimum	Maximum
Deputy Service Director	\$20,000	
Service Director	25,000	
Deputy Assistant Under Secretary for Health		27,500
Assistant Under Secretary for Health (or in a comparable position as determined by the Secretary)		30,000”.

(e) GEOGRAPHIC PAY.—Paragraph (6) of that section is amended by striking “\$5,000” and inserting “\$12,000”.

(f) SPECIAL PAY FOR POST-GRADUATE TRAINING.—Such section is further amended by adding at the end the following new paragraph:

“(8) For a dentist who has successfully completed a post-graduate year of hospital-based training in a program accredited by the American Dental Association, an annual rate of \$2,000 for each of the first two years of service after successful completion of that training.”.

(g) CREDITING OF INCREASED TENURE PAY FOR CIVIL SERVICE RETIREMENT.—Section 7438(b) is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph (5):

“(5) Notwithstanding paragraphs (1) and (2), a dentist employed as a dentist in the Veterans Health Administration on the date of the enactment of the Veterans Benefits and Health Care Improvement Act of 2000 shall be entitled to have special pay paid to the dentist under section 7435(b)(2)(A) of this title (referred to as ‘tenure pay’) considered basic pay for the purposes of chapter 83 or 84, as appropriate, of title 5 only as follows:

“(A) In an amount equal to the amount that would have been so considered under such section on the day before such date based on the rates of special pay the dentist was entitled to receive under that section on the day before such date.

“(B) With respect to any amount of special pay received under that section in excess of the amount such dentist was entitled to receive under such section on the day before such date, in an amount equal to 25 percent of such excess amount for each two years that the physician or dentist has completed as a physician or dentist in the Veterans Health Administration after such date.”.

(h) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to agreements entered into by dentists under subchapter III of chapter 74 of title 38, United States Code, on or after the date of the enactment of this Act.

(i) **TRANSITION.**—In the case of an agreement entered into by a dentist under subchapter III of chapter 74 of title 38, United States Code, before the date of the enactment of this Act that expires after that date, the Secretary of Veterans Affairs and the dentist concerned may agree to terminate that agreement as of the date of the enactment of this Act in order to permit a new agreement in accordance with section 7435 of such title, as amended by this section, to take effect as of that date.

SEC. 203. EXEMPTION FOR PHARMACISTS FROM CEILING ON SPECIAL SALARY RATES.

Section 7455(c)(1) is amended by inserting “, pharmacists,” after “anesthetists”.

SEC. 204. TEMPORARY FULL-TIME APPOINTMENTS OF CERTAIN MEDICAL PERSONNEL.

(a) **PHYSICIAN ASSISTANTS AWAITING CERTIFICATION OR LICENSURE.**—Paragraph (2) of section 7405(c) is amended to read as follows:

“(2) A temporary full-time appointment may not be made for a period in excess of two years in the case of a person who—

“(A) has successfully completed—
“(i) a full course of nursing in a recognized school of nursing, approved by the Secretary; or
“(ii) a full course of training for any category of personnel described in paragraph (3) of section 7401 of this title, or as a physician assistant, in a recognized education or training institution approved by the Secretary; and
“(B) is pending registration or licensure in a State or certification by a national board recognized by the Secretary.”.

(b) **MEDICAL SUPPORT PERSONNEL.**—That section is further amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

“(3)(A) Temporary full-time appointments of persons in positions referred to in subsection (a)(1)(D) shall not exceed three years.

“(B) Temporary full-time appointments under this paragraph may be renewed for one or more additional periods not in excess of three years each.”.

SEC. 205. QUALIFICATIONS OF SOCIAL WORKERS.

Section 7402(b)(9) is amended by striking “a person must” and all that follows and inserting “a person must—

“(A) hold a master’s degree in social work from a college or university approved by the Secretary; and

“(B) be licensed or certified to independently practice social work in a State, except that the Secretary may waive the requirement of licensure or certification for an individual social worker for a reasonable period of time recommended by the Under Secretary for Health.”.

SEC. 206. PHYSICIAN ASSISTANT ADVISER TO UNDER SECRETARY FOR HEALTH.

Section 7306(a) is amended—

(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following new paragraph (9):

“(9) The Advisor on Physician Assistants, who shall be a physician assistant with appropriate experience and who shall advise the Under Secretary for Health on all matters relating to the utilization and employment of physician assistants in the Administration.”.

SEC. 207. EXTENSION OF VOLUNTARY SEPARATION INCENTIVE PAYMENTS.

The Department of Veterans Affairs Employment Reduction Assistance Act of 1999 (title XI of Public Law 106-117; 5 U.S.C. 5597 note) is amended as follows:

(1) Section 1102(c) is amended to read as follows:

“(c) **LIMITATION.**—The plan under subsection (a) shall be limited to a total of 7,734 positions within the Department, allocated among the elements of the Department as follows:

“(1) The Veterans Health Administration, 6,800 positions.

“(2) The Veterans Benefits Administration, 740 positions.

“(3) Department of Veterans Affairs Staff Offices, 156 positions.

“(4) The National Cemetery Administration, 38 positions.”.

(2) Section 1105(a) is amended by striking “26 percent” and inserting “15 percent”.

(3) Section 1109(a) is amended by striking “December 31, 2000” and inserting “December 31, 2002”.

Subtitle B—Military Service Issues

SEC. 211. FINDINGS AND SENSE OF CONGRESS CONCERNING USE OF MILITARY HISTORIES OF VETERANS IN DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE.

(a) **FINDINGS.**—Congress makes the following findings:

(1) Pertinent military experiences and exposures may affect the health status of Department of Veterans Affairs patients who are veterans.

(2) The Department of Veterans Affairs has begun to implement a Veterans Health Initiative to develop systems to ensure that both patient care and medical education in the Veterans Health Administration are specific to the special needs of veterans and should be encouraged to continue these efforts.

(3) Protocols eliciting pertinent information relating to the military history of veterans may be beneficial to understanding certain conditions for which veterans may be at risk and thereby facilitate the treatment of veterans for those conditions.

(4) The Department of Veterans Affairs is in the process of developing a Computerized Patient Record System that offers the potential to aid in the care and monitoring of such conditions.

(b) **SENSE OF CONGRESS.**—Congress—

(1) urges the Secretary of Veterans Affairs to assess the feasibility and desirability of using a computer-based system to conduct clinical evaluations relevant to military experiences and exposures; and

(2) recommends that the Secretary accelerate efforts within the Department of Veterans Affairs to ensure that relevant military histories of veterans are included in Department medical records.

SEC. 212. STUDY OF POST-TRAUMATIC STRESS DISORDER IN VIETNAM VETERANS.

(a) **STUDY ON POST-TRAUMATIC STRESS DISORDER.**—Not later than 10 months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into a contract with an appropriate entity to carry out a study on post-traumatic stress disorder.

(b) **FOLLOW-UP STUDY.**—The contract under subsection (a) shall provide for a follow-up study to the study conducted in accordance with section 102 of the Veterans Health Care Amendments of 1983 (Public Law 98-160). Such follow-up study shall use the data base and sample of the previous study.

(c) **INFORMATION TO BE INCLUDED.**—The study conducted pursuant to this section shall be designed to yield information on—

(1) the long-term course of post-traumatic stress disorder;

(2) any long-term medical consequences of post-traumatic stress disorder;

(3) whether particular subgroups of veterans are at greater risk of chronic or more severe problems with such disorder; and

(4) the services used by veterans who have post-traumatic stress disorder and the effect of those services on the course of the disorder.

(d) **REPORT.**—The Secretary shall submit to the Committees of Veterans’ Affairs of the Senate and House of Representatives a report on the results of the study under this section. The report shall be submitted no later than October 1, 2004.

Subtitle C—Medical Administration

SEC. 221. DEPARTMENT OF VETERANS AFFAIRS FISHER HOUSES.

(a) **AUTHORITY.**—Subchapter I of chapter 17 is amended by adding at the end the following new section:

“§ 1708. Temporary lodging

“(a) The Secretary may furnish persons described in subsection (b) with temporary lodging in a Fisher house or other appropriate facility in connection with the examination, treatment, or care of a veteran under this chapter or, as provided for under subsection (e)(5), in connection with benefits administered under this title.

“(b) Persons to whom the Secretary may provide lodging under subsection (a) are the following:

“(1) A veteran who must travel a significant distance to receive care or services under this title.

“(2) A member of the family of a veteran and others who accompany a veteran and provide the equivalent of familial support for such veteran.

“(c) In this section, the term ‘Fisher house’ means a housing facility that—

“(1) is located at, or in proximity to, a Department medical facility;

“(2) is available for residential use on a temporary basis by patients of that facility and others described in subsection (b)(2); and

“(3) is constructed by, and donated to the Secretary by, the Zachary and Elizabeth M. Fisher Armed Services Foundation.

“(d) The Secretary may establish charges for providing lodging under this section. The proceeds from such charges shall be credited to the medical care account and shall be available until expended for the purposes of providing such lodging.

“(e) The Secretary shall prescribe regulations to carry out this section. Such regulations shall include provisions—

“(1) limiting the duration of lodging provided under this section;

“(2) establishing standards and criteria under which charges are established for such lodging under subsection (d);

“(3) establishing criteria for persons considered to be accompanying a veteran under subsection (b)(2);

“(4) establishing criteria for the use of the premises of temporary lodging facilities under this section; and

“(5) establishing any other limitations, conditions, and priorities that the Secretary considers appropriate with respect to lodging under this section.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1707 the following new item:

“1708. Temporary lodging.”.

SEC. 222. EXCEPTION TO RECAPTURE RULE.

Section 8136 is amended—

(1) by inserting “(a)” at the beginning of the text of the section; and

(2) by adding at the end the following new subsection:

“(b) The establishment and operation by the Secretary of an outpatient clinic in facilities described in subsection (a) shall not constitute grounds entitling the United States to any recovery under that subsection.”.

SEC. 223. SENSE OF CONGRESS CONCERNING COOPERATION BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS AND THE DEPARTMENT OF DEFENSE IN THE PROCUREMENT OF MEDICAL ITEMS.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The procurement and distribution of medical items, including prescription drugs, is a multibillion-dollar annual business for both the Department of Defense and the Department of Veterans Affairs.

(2) Those departments prescribe common high-use drugs to many of their 12,000,000 patients who have similar medical profiles.

(3) The health care systems of those departments should have management systems that can share and communicate clinical and management information useful for both systems.

(4) The institutional barriers separating the two departments have begun to be overcome in the area of medical supplies, in part as a response to recommendations by the General Accounting Office and the Commission on Servicemembers and Veterans Transition Assistance.

(5) There is significant potential for improved savings and services by improving cooperation between the two departments in the procurement and management of prescription drugs, while remaining mindful that the two departments have different missions.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Department of Defense and the Department of Veterans Affairs should increase, to the maximum extent consistent with their respective missions, their level of cooperation in the procurement and management of prescription drugs.

SEC. 224. TECHNICAL AND CONFORMING CHANGES.

(a) REQUIREMENT TO PROVIDE CARE.—Section 1710A(a) is amended by inserting “(subject to section 1710(a)(4) of this title)” after “Secretary” the first place it appears.

(b) CONFORMING AMENDMENTS.—Section 1710(a)(4) is amended—

(1) by inserting “the requirement in section 1710A(a) of this title that the Secretary provide nursing home care,” after “medical services,”; and

(2) by striking the comma after “extended care services”.

(c) OUTPATIENT TREATMENT.—Section 201 of the Veterans Millennium Health Care and Benefits Act (Public Law 106-117; 113 Stat. 1561) is amended by adding at the end the following new subsection:

“(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall apply with respect to medical services furnished under section 1710(a) of title 38, United States Code, on or after the effective date of the regulations prescribed by the Secretary of Veterans Affairs to establish the amounts required to be established under paragraphs (1) and (2) of section 1710(g) of that title, as amended by subsection (b).”.

(d) RATIFICATION.—Any action taken by the Secretary of Veterans Affairs under section 1710(g) of title 38, United States Code, during the period beginning on November 30, 1999, and ending on the date of the enactment of this Act is hereby ratified.

Subtitle D—Construction Authorization

SEC. 231. AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECTS.

(a) FISCAL YEAR 2001 PROJECTS.—The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Construction of a 120-bed geropsychiatric facility at the Department of Veterans Affairs Palo Alto Health Care System, Menlo Park Division, California, \$26,600,000.

(2) Construction of a nursing home at the Department of Veterans Affairs Medical Center, Beckley, West Virginia, \$9,500,000.

(3) Seismic corrections, clinical consolidation, and other improvements at the Department of Veterans Affairs Medical Center, Long Beach, California, \$51,700,000.

(4) Construction of a utility plant and electrical vault at the Department of Veterans Affairs Medical Center, Miami, Florida, \$23,600,000.

(b) ADDITIONAL FISCAL YEAR 2000 PROJECT.—The Secretary is authorized to carry out a project for the renovation of psychiatric nursing

units at the Department of Veterans Affairs Medical Center, Murfreesboro, Tennessee, in an amount not to exceed \$14,000,000.

SEC. 232. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Veterans Affairs for the Construction, Major Projects, account—

(1) for fiscal years 2001 and 2002, a total of \$87,800,000 for the projects authorized in paragraphs (1), (2), and (3) of section 231(a);

(2) for fiscal year 2001, an additional amount of \$23,600,000 for the project authorized in paragraph (4) of that section; and

(3) for fiscal year 2002, an additional amount of \$14,500,000 for the project authorized in section 401(1) of the Veterans Millennium Health Care and Benefits Act (Public Law 106-117; 113 Stat. 1572).

(b) LIMITATION.—The projects authorized in section 231(a) may only be carried out using—

(1) funds appropriated for fiscal year 2001 or fiscal year 2002 (or, in the case of the project authorized in section 231(a)(4), for fiscal year 2001) pursuant to the authorization of appropriations in subsection (a);

(2) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2001 that remain available for obligation; and

(3) funds appropriated for Construction, Major Projects, for fiscal year 2001 or fiscal year 2002 (or, in the case of the project authorized in section 231(a)(4), for fiscal year 2001) for a category of activity not specific to a project.

(c) REVISION TO PRIOR LIMITATION.—Notwithstanding the limitation in section 403(b) of the Veterans Millennium Health Care and Benefits Act (Public Law 106-117; 113 Stat. 1573), the project referred to in subsection (a)(3) may be carried out using—

(1) funds appropriated for fiscal year 2002 pursuant to the authorization of appropriations in subsection (a)(3);

(2) funds appropriated for Construction, Major Projects, for fiscal year 2001 that remain available for obligation; and

(3) funds appropriated for Construction, Major Projects, for fiscal year 2001 or fiscal year 2002 for a category of activity not specific to a project.

Subtitle E—Real Property Matters

SEC. 241. CHANGE TO ENHANCED USE LEASE CONGRESSIONAL NOTIFICATION PERIOD.

Paragraph (2) of section 8163(c) is amended to read as follows:

“(2) The Secretary may not enter into an enhanced use lease until the end of the 90-day period beginning on the date of the submission of notice under paragraph (1).”.

SEC. 242. RELEASE OF REVERSIONARY INTEREST OF THE UNITED STATES IN CERTAIN REAL PROPERTY PREVIOUSLY CONVEYED TO THE STATE OF TENNESSEE.

(a) RELEASE OF INTEREST.—The Secretary of Veterans Affairs shall execute such legal instruments as necessary to release the reversionary interest of the United States described in subsection (b) in a certain parcel of real property conveyed to the State of Tennessee pursuant to the Act entitled “An Act authorizing the transfer of certain property of the Veterans’ Administration (in Johnson City, Tennessee) to the State of Tennessee”, approved June 6, 1953 (67 Stat. 54).

(b) SPECIFIED REVERSIONARY INTEREST.—Subsection (a) applies to the reversionary interest of the United States required under section 2 of the Act referred to in subsection (a), requiring use of the property conveyed pursuant to that Act to be primarily for training of the National Guard and for other military purposes.

(c) CONFORMING AMENDMENT.—Section 2 of such Act is repealed.

SEC. 243. DEMOLITION, ENVIRONMENTAL CLEAN-UP, AND REVERSION OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, ALLEN PARK, MICHIGAN.

(a) AUTHORITY.—(1) The Secretary of Veterans Affairs shall enter into a multiyear contract with the Ford Motor Land Development Corporation (hereinafter in this section referred to as the “Corporation”) to undertake project management responsibility to—

(A) demolish the buildings and auxiliary structures comprising the Department of Veterans Affairs Medical Center, Allen Park, Michigan; and

(B) remediate the site of all hazardous material and environmental contaminants found on the site.

(2) The contract under paragraph (1) may be entered into notwithstanding sections 303 and 304 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253, 254). The contract shall be for a period specified in the contract not to exceed seven years.

(b) CONTRACT COST AND SOURCE OF FUNDING.—(1) The Secretary may expend no more than \$14,000,000 for the contract required by subsection (a). The contract shall provide that all costs for the demolition and site remediation under the contract in excess of \$14,000,000 shall be borne by the Corporation.

(2) Payments by the Secretary under the contract shall be made in annual increments of no more than \$2,000,000, beginning with fiscal year 2001, for the duration of the contract. Such payments shall be made from the nonrecurring maintenance portion of the annual Department of Veterans Affairs medical care appropriation.

(3) Notwithstanding any other provision of law, the amount obligated upon the award of the contract may not exceed \$2,000,000 and the amount obligated with respect to any succeeding fiscal year may not exceed \$2,000,000. Any funds obligated for the contract shall be subject to the availability of appropriated funds.

(c) REVERSION OF PROPERTY.—Upon completion of the demolition and remediation project under the contract to the satisfaction of the Secretary, the Secretary shall, on behalf of the United States, formally abandon the Allen Park property (title to which will then revert in accordance with the terms of the 1937 deed conveying such property to the United States).

(d) FLAGPOLE AND MEMORIAL.—The contract under subsection (a) shall require that the Corporation shall erect and maintain on the property abandoned by the United States under subsection (c) a flagpole and suitable memorial identifying the property as the location of the former Allen Park Medical Center. The Secretary and the Corporation shall jointly determine the placement of the memorial and flagpole and the form of, and appropriate inscription on, the memorial.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions with regard to the contract with the Corporation under subsection (a) and with the reversion of the property under subsection (c) as the Secretary considers appropriate to protect the interest of the United States.

SEC. 244. CONVEYANCE OF CERTAIN PROPERTY AT THE CARL VINSON DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, DUBLIN, GEORGIA.

(a) CONVEYANCE TO STATE BOARD OF REGENTS.—The Secretary of Veterans Affairs shall convey, without consideration, to the Board of Regents of the State of Georgia all right, title, and interest of the United States in and to two tracts of real property, including any improvements thereon, at the Carl Vinson Department of Veterans Affairs Medical Center, Dublin, Georgia, consisting of 39 acres, more or less, in Laurens County, Georgia.

(b) CONVEYANCE TO COMMUNITY SERVICE BOARD OF MIDDLE GEORGIA.—The Secretary of Veterans Affairs shall convey, without consideration, to the Community Service Board of Middle Georgia all right, title, and interest of the

United States in and to three tracts of real property, including any improvements thereon, at the Carl Vinson Department of Veterans Affairs Medical Center, Dublin, Georgia, consisting of 58 acres, more or less, in Laurens County, Georgia.

(c) **CONDITIONS ON CONVEYANCE.**—The conveyance under subsection (a) shall be subject to the condition that the real property conveyed under that subsection be used in perpetuity solely for education purposes. The conveyance under subsection (b) shall be subject to the condition that the real property conveyed under that subsection be used in perpetuity solely for education and health care purposes.

(d) **SURVEY.**—The exact acreage and legal description of the real property to be conveyed under this section shall be determined by a survey or surveys satisfactory to the Secretary of Veterans Affairs. The cost of any such survey shall not be borne by the Secretary.

(e) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary of Veterans Affairs may require such additional terms and conditions in connection with the conveyances under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 245. LAND CONVEYANCE, MILES CITY DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER COMPLEX, MILES CITY, MONTANA.

(a) **CONVEYANCE REQUIRED.**—The Secretary of Veterans Affairs shall convey, without consideration, to Custer County, Montana (in this section referred to as the "County"), all right, title, and interest of the United States in and to the parcels of real property consisting of the Miles City Department of Veterans Affairs Medical Center complex, which has served as a medical and support complex for the Department of Veterans Affairs in Miles City, Montana.

(b) **TIMING OF CONVEYANCE.**—The conveyance required by subsection (a) shall be made as soon as practicable after the date of the enactment of this Act.

(c) **CONDITIONS OF CONVEYANCE.**—The conveyance required by subsection (a) shall be subject to the condition that the County—

(1) use the parcels conveyed, whether directly or through an agreement with a public or private entity, for veterans activities, community and economic development, or such other public purposes as the County considers appropriate; or

(2) convey the parcels to an appropriate public or private entity for use for the purposes specified in paragraph (1).

(d) **CONVEYANCE OF IMPROVEMENTS.**—(1) As part of the conveyance required by subsection (a), the Secretary may also convey to the County any improvements, equipment, fixtures, and other personal property located on the parcels conveyed under that subsection that are not required by the Secretary.

(2) Any conveyance under this subsection shall be without consideration.

(e) **USE PENDING CONVEYANCE.**—Until such time as the real property to be conveyed under subsection (a) is conveyed by deed under this section, the Secretary may continue to lease the real property, together with any improvements thereon, under the terms and conditions of the current lease of the real property.

(f) **MAINTENANCE PENDING CONVEYANCE.**—The Secretary shall be responsible for maintaining the real property to be conveyed under subsection (a), and any improvements, equipment, fixtures, and other personal property to be conveyed under subsection (d), in its condition as of the date of the enactment of this Act until such time as the real property, and such improvements, equipment, fixtures, and other personal property are conveyed by deed under this section.

(g) **LEGAL DESCRIPTION.**—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(h) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary determines appropriate to protect the interests of the United States.

SEC. 246. CONVEYANCE OF FORT LYON DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, COLORADO, TO THE STATE OF COLORADO.

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of Veterans Affairs may convey, without consideration, to the State of Colorado all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 512 acres and comprising the Fort Lyon Department of Veterans Affairs Medical Center. The purpose of the conveyance is to permit the State of Colorado to use the property for purposes of a correctional facility.

(b) **PUBLIC ACCESS.**—(1) The Secretary may not make the conveyance of real property authorized by subsection (a) unless the State of Colorado agrees to provide appropriate public access to Kit Carson Chapel (located on that real property) and the cemetery located adjacent to that real property.

(2) The State of Colorado may satisfy the condition specified in paragraph (1) with respect to Kit Carson Chapel by relocating the chapel to Fort Lyon National Cemetery, Colorado, or another appropriate location approved by the Secretary.

(c) **PLAN REGARDING CONVEYANCE.**—(1) The Secretary may not make the conveyance authorized by subsection (a) before the date on which the Secretary implements a plan providing the following:

(A) Notwithstanding sections 1720(a)(3) and 1741 of title 38, United States Code, that veterans who are receiving inpatient or institutional long-term care at Fort Lyon Department of Veterans Affairs Medical Center as of the date of the enactment of this Act are provided appropriate inpatient or institutional long-term care under the same terms and conditions as such veterans are receiving inpatient or institutional long-term care as of that date.

(B) That the conveyance of the Fort Lyon Department of Veterans Affairs Medical Center does not result in a reduction of health care services available to veterans in the catchment area of the Medical Center.

(C) Improvements in veterans' overall access to health care in the catchment area through, for example, the opening of additional outpatient clinics.

(2) The Secretary shall prepare the plan referred to in paragraph (1) in consultation with appropriate representatives of veterans service organizations and other appropriate organizations.

(3) The Secretary shall publish a copy of the plan referred to in paragraph (1) before implementation of the plan.

(d) **ENVIRONMENTAL RESTORATION.**—The Secretary may not make the conveyance authorized by subsection (a) until the Secretary completes the evaluation and performance of any environmental restoration activities required by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), and by any other provision of law.

(e) **PERSONAL PROPERTY.**—As part of the conveyance authorized by subsection (a), the Secretary may convey, without consideration, to the State of Colorado any furniture, fixtures, equipment, and other personal property associated with the property conveyed under that subsection that the Secretary determines is not required for purposes of the Department of Veterans Affairs health care facilities to be established by the Secretary in southern Colorado or for purposes of Fort Lyon National Cemetery.

(f) **LEGAL DESCRIPTION.**—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be deter-

mined by a survey satisfactory to the Secretary. Any costs associated with the survey shall be borne by the State of Colorado.

(g) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such other terms and conditions in connection with the conveyances authorized by subsections (a) and (e) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 247. EFFECT OF CLOSURE OF FORT LYON DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER ON ADMINISTRATION OF HEALTH CARE FOR VETERANS.

(a) **PAYMENT FOR NURSING HOME CARE.**—Notwithstanding any limitation under section 1720 or 1741 of title 38, United States Code, the Secretary of Veterans Affairs may pay the State of Colorado, or any private nursing home care facility, for costs incurred in providing nursing home care to any veteran who is relocated from the Fort Lyon Department of Veterans Affairs Medical Center, Colorado, to a facility of the State of Colorado or such private facility, as the case may be, as a result of the closure of the Fort Lyon Department of Veterans Affairs Medical Center.

(b) **OBLIGATION TO PROVIDE EXTENDED CARE SERVICES.**—Nothing in section 246 or this section may be construed to alter or otherwise affect the obligation of the Secretary to meet the requirements of section 1710B(b) of title 38, United States Code, relating to staffing and levels of extended care services in fiscal years after fiscal year 1998.

(c) **REPORT ON VETERANS HEALTH CARE IN SOUTHERN COLORADO.**—Not later than one year after the conveyance, if any, authorized by section 246, the Under Secretary for Health of the Department of Veterans Affairs, acting through the Director of Veterans Integrated Service Network (VISN) 19, shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report on the status of the health care system for veterans under that Network in southern Colorado. The report shall describe any improvements to the system in southern Colorado that have been put into effect in the period beginning on the date of the conveyance and ending on the date of the report.

TITLE III—COMPENSATION, INSURANCE, HOUSING, EMPLOYMENT, AND MEMORIAL AFFAIRS PROVISIONS

Subtitle A—Compensation Program Changes

SEC. 301. STROKES AND HEART ATTACKS INCURRED OR AGGRAVATED BY MEMBERS OF RESERVE COMPONENTS IN THE PERFORMANCE OF DUTY WHILE PERFORMING INACTIVE DUTY TRAINING TO BE CONSIDERED TO BE SERVICE-CONNECTED.

(a) **SCOPE OF TERM "ACTIVE MILITARY, NAVAL, OR AIR SERVICE".**—Section 101(24) is amended to read as follows:

"(24) The term 'active military, naval, or air service' includes—

"(A) active duty;

"(B) any period of active duty for training during which the individual concerned was disabled or died from a disease or injury incurred or aggravated in line of duty; and

"(C) any period of inactive duty training during which the individual concerned was disabled or died—

"(i) from an injury incurred or aggravated in line of duty; or

"(ii) from an acute myocardial infarction, a cardiac arrest, or a cerebrovascular accident occurring during such training."

(b) **TRAVEL TO OR FROM TRAINING DUTY.**—Section 106(d) is amended—

(1) by inserting "(1)" after "(d)";

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

(3) by inserting "or covered disease" after "injury" each place it appears;

(4) by designating the second sentence as paragraph (2);

(5) by designating the third sentence as paragraph (3); and

(6) by adding at the end the following new paragraph:

“(4) For purposes of this subsection, the term ‘covered disease’ means any of the following:

“(A) Acute myocardial infarction.

“(B) A cardiac arrest.

“(C) A cerebrovascular accident.”.

SEC. 302. SPECIAL MONTHLY COMPENSATION FOR WOMEN VETERANS WHO LOSE A BREAST AS A RESULT OF A SERVICE-CONNECTED DISABILITY.

Section 1114(k) is amended—

(1) by striking “or has suffered” and inserting “has suffered”; and

(2) by inserting after “air and bone conduction,” the following: “or, in the case of a woman veteran, has suffered the anatomical loss of one or both breasts (including loss by mastectomy).”.

SEC. 303. BENEFITS FOR PERSONS DISABLED BY PARTICIPATION IN COMPENSATED WORK THERAPY PROGRAM.

Section 1151(a)(2) is amended—

(1) by inserting “(A)” after “proximately caused”; and

(2) by inserting before the period at the end the following: “, or (B) by participation in a program (known as a ‘compensated work therapy program’) under section 1718 of this title”.

SEC. 304. REVISION TO LIMITATION ON PAYMENTS OF BENEFITS TO INCOMPETENT INSTITUTIONALIZED VETERANS.

Section 5503(b)(1) is amended—

(1) in subparagraph (A)—

(A) by striking “\$1,500” and inserting “the amount equal to five times the section 1114(j) rate”; and

(B) by striking “\$500” and inserting “one-half that amount”; and

(2) by adding at the end the following new subparagraph:

“(D) For purposes of this paragraph, the term ‘section 1114(j) rate’ means the monthly rate of compensation in effect under section 1114(j) of this title for a veteran with a service-connected disability rated as total.”.

SEC. 305. REVIEW OF DOSE RECONSTRUCTION PROGRAM OF THE DEFENSE THREAT REDUCTION AGENCY.

(a) REVIEW BY NATIONAL ACADEMY OF SCIENCES.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with the National Academy of Sciences to carry out periodic reviews of the program of the Defense Threat Reduction Agency of the Department of Defense known as the “dose reconstruction program”.

(b) REVIEW ACTIVITIES.—The periodic reviews of the dose reconstruction program under the contract under subsection (a) shall consist of the periodic selection of random samples of doses reconstructed by the Defense Threat Reduction Agency in order to determine—

(1) whether or not the reconstruction of the sampled doses is accurate;

(2) whether or not the reconstructed dosage number is accurately reported;

(3) whether or not the assumptions made regarding radiation exposure based upon the sampled doses are credible; and

(4) whether or not the data from nuclear tests used by the Defense Threat Reduction Agency as part of the reconstruction of the sampled doses is accurate.

(c) DURATION OF REVIEW.—The periodic reviews under the contract under subsection (a) shall occur over a period of 24 months.

(d) REPORT.—(1) Not later than 60 days after the conclusion of the period referred to in subsection (c), the National Academy of Sciences shall submit to Congress a report on its activities under the contract under this section.

(2) The report shall include the following:

(A) A detailed description of the activities of the National Academy of Sciences under the contract.

(B) Any recommendations that the National Academy of Sciences considers appropriate regarding a permanent system of review of the dose reconstruction program of the Defense Threat Reduction Agency.

Subtitle B—Life Insurance Matters

SEC. 311. PREMIUMS FOR TERM SERVICE DISABLED VETERANS' INSURANCE FOR VETERANS OLDER THAN AGE 70.

(a) CAP ON PREMIUMS.—Section 1922 is amended by adding at the end the following new subsection:

“(c) The premium rate of any term insurance issued under this section shall not exceed the renewal age 70 premium rate.”.

(b) REPORT.—Not later than September 30, 2001, the Secretary of Veterans Affairs shall submit to Congress a report setting forth a plan to liquidate the unfunded liability under the life insurance program under section 1922 of title 38, United States Code, not later than October 1, 2011.

SEC. 312. INCREASE IN AUTOMATIC MAXIMUM COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE AND VETERANS' GROUP LIFE INSURANCE.

(a) MAXIMUM UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.—Section 1967 is amended in subsections (a), (c), and (d) by striking “\$200,000” each place it appears and inserting “\$250,000”.

(b) MAXIMUM UNDER VETERANS' GROUP LIFE INSURANCE.—Section 1977(a) is amended by striking “\$200,000” each place it appears and inserting “\$250,000”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first month that begins more than 120 days after the date of the enactment of this Act.

SEC. 313. ELIGIBILITY OF CERTAIN MEMBERS OF THE INDIVIDUAL READY RESERVE FOR SERVICEMEMBERS' GROUP LIFE INSURANCE.

(a) ELIGIBILITY.—Section 1965(5) is amended—

(1) by striking “and” at the end of subparagraph (B);

(2) by redesignating subparagraph (C) as subparagraph (D); and

(3) by inserting after subparagraph (B) the following new subparagraph (C):

“(C) a person who volunteers for assignment to a mobilization category in the Individual Ready Reserve, as defined in section 12304(i)(1) of title 10; and”.

(b) CONFORMING AMENDMENTS.—Sections 1967(a), 1968(a), and 1969(a)(2)(A) are amended by striking “section 1965(5)(B) of this title” each place it appears and inserting “subparagraph (B) or (C) of section 1965(5) of this title”.

Subtitle C—Housing and Employment Programs

SEC. 321. ELIMINATION OF REDUCTION IN ASSISTANCE FOR SPECIALLY ADAPTED HOUSING FOR DISABLED VETERANS FOR VETERANS HAVING JOINT OWNERSHIP OF HOUSING UNITS.

Section 2102 is amended by adding at the end the following new subsection:

“(c) The amount of assistance afforded under subsection (a) for a veteran authorized assistance by section 2101(a) of this title shall not be reduced by reason that title to the housing unit, which is vested in the veteran, is also vested in any other person, if the veteran resides in the housing unit.”.

SEC. 322. VETERANS EMPLOYMENT EMPHASIS UNDER FEDERAL CONTRACTS FOR RECENTLY SEPARATED VETERANS.

(a) EMPLOYMENT EMPHASIS.—Subsection (a) of section 4212 is amended in the first sentence by inserting “recently separated veterans,” after “veterans of the Vietnam era.”.

(b) CONFORMING AMENDMENTS.—Subsection (d)(1) of that section is amended by inserting “recently separated veterans,” after “veterans of the Vietnam era,” each place it appears in subparagraphs (A) and (B).

(c) RECENTLY SEPARATED VETERAN DEFINED.—Section 4211 is amended by adding at the end the following new paragraph:

“(6) The term ‘recently separated veteran’ means any veteran during the one-year period beginning on the date of such veteran’s discharge or release from active duty.”.

SEC. 323. EMPLOYERS REQUIRED TO GRANT LEAVE OF ABSENCE FOR EMPLOYEES TO PARTICIPATE IN HONOR GUARDS FOR FUNERALS OF VETERANS.

(a) DEFINITION OF SERVICE IN THE UNIFORMED SERVICES.—Section 4303(13) is amended—

(1) by striking “and” after “National Guard duty”; and

(2) by inserting before the period at the end “, and a period for which a person is absent from employment for the purpose of performing funeral honors duty as authorized by section 12503 of title 10 or section 115 of title 32.”.

(b) REQUIRED LEAVE OF ABSENCE.—Section 4316 is amended by adding at the end the following new subsection:

“(e)(1) An employer shall grant an employee who is a member of a reserve component an authorized leave of absence from a position of employment to allow that employee to perform funeral honors duty as authorized by section 12503 of title 10 or section 115 of title 32.

(2) For purposes of section 4312(e)(1) of this title, an employee who takes an authorized leave of absence under paragraph (1) is deemed to have notified the employer of the employee’s intent to return to such position of employment.”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect 180 days after the date of the enactment of this Act.

Subtitle D—Cemeteries and Memorial Affairs

SEC. 331. ELIGIBILITY FOR INTERMENT OF CERTAIN FILIPINO VETERANS OF WORLD WAR II IN NATIONAL CEMETERIES.

(a) ELIGIBILITY OF CERTAIN COMMONWEALTH ARMY VETERANS.—Section 2402 is amended by adding at the end the following new paragraph:

“(8) Any individual whose service is described in section 107(a) of this title if such individual at the time of death—

“(A) was a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; and

“(B) resided in the United States.”.

(b) CONFORMING AMENDMENT.—Section 107(a)(3) is amended to read as follows:

“(3) chapters 11, 13 (except section 1312(a)), 23, and 24 (to the extent provided for in section 2402(8)) of this title.”.

(c) APPLICABILITY.—The amendments made by this section shall apply with respect to deaths occurring on or after the date of the enactment of this Act.

SEC. 332. PAYMENT RATE OF CERTAIN BURIAL BENEFITS FOR CERTAIN FILIPINO VETERANS OF WORLD WAR II.

(a) PAYMENT RATE.—Section 107 is amended—

(1) in subsection (a), by striking “Payments” and inserting “Subject to subsection (c), payments”; and

(2) by adding at the end the following new section:

“(c)(1) In the case of an individual described in paragraph (2), the second sentence of subsection (a) shall not apply.

“(2) Paragraph (1) applies to any individual whose service is described in subsection (a) and who dies after the date of the enactment of this subsection if the individual, on the individual’s date of death—

“(A) is a citizen of, or an alien lawfully admitted for permanent residence in, the United States;

“(B) is residing in the United States; and

“(C) either—

“(i) is receiving compensation under chapter 11 of this title; or

“(ii) if the individual’s service had been deemed to be active military, naval, or air service, would have been paid pension under section

1521 of this title without denial or discontinuance by reason of section 1522 of this title.”.

(b) **APPLICABILITY.**—No benefits shall accrue to any person for any period before the date of the enactment of this Act by reason of the amendments made by subsection (a).

SEC. 333. PLOT ALLOWANCE FOR BURIAL IN STATE VETERANS CEMETERIES.

(a) **IN GENERAL.**—Section 2303(b)(1)(A) is amended to read as follows: “(A) is used solely for the interment of persons who are (i) eligible for burial in a national cemetery, and (ii) members of a reserve component of the Armed Forces not otherwise eligible for such burial or former members of such a reserve component not otherwise eligible for such burial who are discharged or released from service under conditions other than dishonorable, and”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to the burial of persons dying on or after the date of the enactment of this Act.

TITLE IV—OTHER MATTERS

SEC. 401. BENEFITS FOR THE CHILDREN OF WOMEN VIETNAM VETERANS WHO SUFFER FROM CERTAIN BIRTH DEFECTS.

(a) **IN GENERAL.**—Chapter 18 is amended by adding at the end the following new subchapter: “SUBCHAPTER II—CHILDREN OF WOMEN VIETNAM VETERANS BORN WITH CERTAIN BIRTH DEFECTS

“§ 1811. Definitions

“In this subchapter:

“(1) The term ‘eligible child’ means an individual who—

“(A) is the child (as defined in section 1821(1) of this title) of a woman Vietnam veteran; and

“(B) was born with one or more covered birth defects.

“(2) The term ‘covered birth defect’ means a birth defect identified by the Secretary under section 1812 of this title.

“§ 1812. Covered birth defects

“(a) **IDENTIFICATION.**—The Secretary shall identify the birth defects of children of women Vietnam veterans that—

“(1) are associated with the service of those veterans in the Republic of Vietnam during the Vietnam era; and

“(2) result in permanent physical or mental disability.

“(b) **LIMITATIONS.**—(1) The birth defects identified under subsection (a) may not include birth defects resulting from the following:

“(A) A familial disorder.

“(B) A birth-related injury.

“(C) A fetal or neonatal infirmity with well-established causes.

“(2) In any case where affirmative evidence establishes that a covered birth defect of a child of a woman Vietnam veteran results from a cause other than the active military, naval, or air service of that veteran in the Republic of Vietnam during the Vietnam era, no benefits or assistance may be provided the child under this subchapter.

“§ 1813. Health care

“(a) **NEEDED CARE.**—The Secretary shall provide an eligible child such health care as the Secretary determines is needed by the child for that child’s covered birth defects or any disability that is associated with those birth defects.

“(b) **AUTHORITY FOR CARE TO BE PROVIDED DIRECTLY OR BY CONTRACT.**—The Secretary may provide health care under this section directly or by contract or other arrangement with a health care provider.

“(c) **DEFINITIONS.**—For purposes of this section, the definitions in section 1803(c) of this title shall apply with respect to the provision of health care under this section, except that for such purposes—

“(1) the reference to ‘specialized spina bifida clinic’ in paragraph (2) of that section shall be

treated as a reference to a specialized clinic treating the birth defect concerned under this section; and

“(2) the reference to ‘vocational training under section 1804 of this title’ in paragraph (8) of that section shall be treated as a reference to vocational training under section 1814 of this title.

“§ 1814. Vocational training

“(a) **AUTHORITY.**—The Secretary may provide a program of vocational training to an eligible child if the Secretary determines that the achievement of a vocational goal by the child is reasonably feasible.

“(b) **APPLICABLE PROVISIONS.**—Subsections (b) through (e) of section 1804 of this title shall apply with respect to any program of vocational training provided under subsection (a).

“§ 1815. Monetary allowance

“(a) **MONETARY ALLOWANCE.**—The Secretary shall pay a monthly allowance to any eligible child for any disability resulting from the covered birth defects of that child.

“(b) **SCHEDULE FOR RATING DISABILITIES.**—(1) The amount of the monthly allowance paid under this section shall be based on the degree of disability suffered by the child concerned, as determined in accordance with a schedule for rating disabilities resulting from covered birth defects that is prescribed by the Secretary.

“(2) In prescribing a schedule for rating disabilities for the purposes of this section, the Secretary shall establish four levels of disability upon which the amount of the allowance provided by this section shall be based. The levels of disability established may take into account functional limitations, including limitations on cognition, communication, motor abilities, activities of daily living, and employability.

“(c) **AMOUNT OF MONTHLY ALLOWANCE.**—The amount of the monthly allowance paid under this section shall be as follows:

“(1) In the case of a child suffering from the lowest level of disability prescribed in the schedule for rating disabilities under subsection (b), \$100.

“(2) In the case of a child suffering from the lower intermediate level of disability prescribed in the schedule for rating disabilities under subsection (b), the greater of—

“(A) \$214; or

“(B) the monthly amount payable under section 1805(b)(3) of this title for the lowest level of disability prescribed for purposes of that section.

“(3) In the case of a child suffering from the higher intermediate level of disability prescribed in the schedule for rating disabilities under subsection (b), the greater of—

“(A) \$743; or

“(B) the monthly amount payable under section 1805(b)(3) of this title for the intermediate level of disability prescribed for purposes of that section.

“(4) In the case of a child suffering from the highest level of disability prescribed in the schedule for rating disabilities under subsection (b), the greater of—

“(A) \$1,272; or

“(B) the monthly amount payable under section 1805(b)(3) of this title for the highest level of disability prescribed for purposes of that section.

“(d) **INDEXING TO SOCIAL SECURITY BENEFIT INCREASES.**—Amounts under paragraphs (1), (2)(A), (3)(A), and (4)(A) of subsection (c) shall be subject to adjustment from time to time under section 5312 of this title.

“§ 1816. Regulations

“The Secretary shall prescribe regulations for purposes of the administration of this subchapter.”.

(b) **CONSOLIDATION OF PROVISIONS APPLICABLE TO BOTH SUBCHAPTERS.**—Chapter 18 is further amended by adding after subchapter II, as added by subsection (a), the following new subchapter:

“SUBCHAPTER III—GENERAL PROVISIONS

“§ 1821. Definitions

“In this chapter:

“(1) The term ‘child’ means an individual, regardless of age or marital status, who—

“(A) is the natural child of a Vietnam veteran; and

“(B) was conceived after the date on which that veteran first entered the Republic of Vietnam during the Vietnam era.

“(2) The term ‘Vietnam veteran’ means an individual who performed active military, naval, or air service in the Republic of Vietnam during the Vietnam era, without regard to the characterization of that individual’s service.

“(3) The term ‘Vietnam era’ with respect to—

“(A) subchapter I of this chapter, means the period beginning on January 9, 1962, and ending on May 7, 1975; and

“(B) subchapter II of this chapter, means the period beginning on February 28, 1961, and ending on May 7, 1975.

“§ 1822. Applicability of certain administrative provisions

“(a) **APPLICABILITY OF CERTAIN PROVISIONS RELATING TO COMPENSATION.**—The provisions of this title specified in subsection (b) apply with respect to benefits and assistance under this chapter in the same manner as those provisions apply to compensation paid under chapter 11 of this title.

“(b) **SPECIFIED PROVISIONS.**—The provisions of this title referred to in subsection (a) are the following:

“(1) Section 5101(c).

“(2) Subsections (a), (b)(2), (g), and (i) of section 5110.

“(3) Section 5111.

“(4) Subsection (a) and paragraphs (1), (6), (9), and (10) of subsection (b) of section 5112.

“§ 1823. Treatment of receipt of monetary allowance and other benefits

“(a) **COORDINATION WITH OTHER BENEFITS PAID TO THE RECIPIENT.**—Notwithstanding any other provision of law, receipt by an individual of a monetary allowance under this chapter shall not impair, infringe, or otherwise affect the right of the individual to receive any other benefit to which the individual is otherwise entitled under any law administered by the Secretary.

“(b) **COORDINATION WITH BENEFITS BASED ON RELATIONSHIP OF RECIPIENTS.**—Notwithstanding any other provision of law, receipt by an individual of a monetary allowance under this chapter shall not impair, infringe, or otherwise affect the right of any other individual to receive any benefit to which such other individual is entitled under any law administered by the Secretary based on the relationship of such other individual to the individual who receives such monetary allowance.

“(c) **MONETARY ALLOWANCE NOT TO BE CONSIDERED AS INCOME OR RESOURCES FOR CERTAIN PURPOSES.**—Notwithstanding any other provision of law, a monetary allowance paid an individual under this chapter shall not be considered as income or resources in determining eligibility for, or the amount of benefits under, any Federal or federally assisted program.

“§ 1824. Nonduplication of benefits

“(a) **MONETARY ALLOWANCE.**—In the case of an eligible child under subchapter II of this chapter whose only covered birth defect is spina bifida, a monetary allowance shall be paid under subchapter I of this chapter. In the case of an eligible child under subchapter II of this chapter who has spina bifida and one or more additional covered birth defects, a monetary allowance shall be paid under subchapter II of this chapter.

“(b) **VOCATIONAL REHABILITATION.**—An individual may only be provided one program of vocational training under this chapter.”.

(c) **REPEAL OF RECODIFIED PROVISIONS.**—The following provisions are repealed:

(1) Section 1801.
 (2) Subsections (c) and (d) of section 1805.
 (3) Section 1806.
 (d) DESIGNATION OF SUBCHAPTER I.—Chapter 18 is further amended by inserting before section 1802 the following:

“SUBCHAPTER I—CHILDREN OF VIETNAM VETERANS BORN WITH SPINA BIFIDA”.

(e) CONFORMING AMENDMENTS.—(1) Section 1802 is amended by striking “this chapter” and inserting “this subchapter”.

(2) Section 1805(a) is amended by striking “this chapter” and inserting “this section”.

(f) CLERICAL AMENDMENTS.—(1) The chapter heading of chapter 18 is amended to read as follows:

“CHAPTER 18—BENEFITS FOR CHILDREN OF VIETNAM VETERANS”.

(2) The tables of chapters before part I, and at the beginning of part II, are each amended by striking the item relating to chapter 18 and inserting the following new item:

“18. Benefits for Children of Vietnam Veterans 1802”.

(3) The table of sections at the beginning of chapter 18 is amended—

(A) by inserting at the beginning the following:

“SUBCHAPTER I—CHILDREN OF VIETNAM VETERANS BORN WITH SPINA BIFIDA”;

(B) by striking the items relating to sections 1801 and 1806; and

(C) by adding at the end the following:

“SUBCHAPTER II—CHILDREN OF WOMEN VIETNAM VETERANS BORN WITH CERTAIN BIRTH DEFECTS

- “1811. Definitions.
- “1812. Covered birth defects.
- “1813. Health care.
- “1814. Vocational training.
- “1815. Monetary allowance.
- “1816. Regulations.

“SUBCHAPTER III—GENERAL PROVISIONS

- “1821. Definitions.
- “1822. Applicability of certain administrative provisions.
- “1823. Treatment of receipt of monetary allowance and other benefits.
- “1824. Nonduplication of benefits.”.

(g) EFFECTIVE DATE.—(1) Except as provided in paragraph (2), the amendments made by this section shall take effect on the first day of the first month beginning more than one year after the date of the enactment of this Act.

(2) The Secretary of Veterans Affairs shall identify birth defects under section 1812 of title 38, United States Code (as added by subsection (a) of this section), and shall prescribe the regulations required by subchapter II of chapter 18 of that title (as so added), not later than the effective date specified in paragraph (1).

SEC. 402. EXTENSION OF CERTAIN EXPIRING AUTHORITIES.

(a) ENHANCED LOAN ASSET SALE AUTHORITY.—Section 3720(h)(2) is amended by striking “December 31, 2002” and inserting “December 31, 2008”.

(b) HOME LOAN FEES.—Section 3729 is amended by striking everything after the section heading and inserting the following:

“(a) REQUIREMENT OF FEE.—(1) Except as provided in subsection (c), a fee shall be collected from each person obtaining a housing loan guaranteed, insured, or made under this chapter, and each person assuming a loan to which section 3714 of this title applies. No such loan may be guaranteed, insured, made, or assumed until the fee payable under this section has been remitted to the Secretary.

“(2) The fee may be included in the loan and paid from the proceeds thereof.

“(b) DETERMINATION OF FEE.—(1) The amount of the fee shall be determined from the loan fee table in paragraph (2). The fee is expressed as a percentage of the total amount of the loan guar-

anteed, insured, or made, or, in the case of a loan assumption, the unpaid principal balance of the loan on the date of the transfer of the property.

“(2) The loan fee table referred to in paragraph (1) is as follows:

“LOAN FEE TABLE

Type of loan	Active duty veteran	Reservist	Other obligor
(A)(i) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed before October 1, 2008)	2.00	2.75	NA
(A)(ii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2008)	1.25	2.00	NA

“LOAN FEE TABLE—Continued

Type of loan	Active duty veteran	Reservist	Other obligor
(B)(i) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed before October 1, 2008)	3.00	3.00	NA
(B)(ii) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after October 1, 2008)	1.25	2.00	NA
(C)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed before October 1, 2008)	1.50	2.25	NA

“LOAN FEE TABLE—Continued

Type of loan	Active duty veteran	Reservist	Other obligor
(C)(ii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after October 1, 2008)75	1.50	NA
(D)(i) Initial loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed before October 1, 2008)	1.25	2.00	NA
(D)(ii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after October 1, 2008)50	1.25	NA
(E) Interest rate reduction refinancing loan	0.50	0.50	NA
(F) Direct loan under section 3711	1.00	1.00	NA

“LOAN FEE TABLE—Continued

Type of loan	Active duty veteran	Reservist	Other obligor
(G) Manufactured home loan under section 3712 (other than an interest rate reduction refinancing loan)	1.00	1.00	NA
(H) Loan to Native American veteran under section 3762 (other than an interest rate reduction refinancing loan)	1.25	1.25	NA
(I) Loan assumption under section 3714	0.50	0.50	0.50
(J) Loan under section 3733(a) ..	2.25	2.25	2.25”.

“(3) Any reference to a section in the ‘Type of loan’ column in the loan fee table in paragraph (2) refers to a section of this title.

“(4) For the purposes of paragraph (2):

“(A) The term ‘active duty veteran’ means any veteran eligible for the benefits of this chapter other than a Reservist.

“(B) The term ‘Reservist’ means a veteran described in section 3701(b)(5)(A) of this title.

“(C) The term ‘other obligor’ means a person who is not a veteran, as defined in section 101 of this title or other provision of this chapter.

“(D) The term ‘initial loan’ means a loan to a veteran guaranteed under section 3710 or made under section 3711 of this title if the veteran has never obtained a loan guaranteed under section 3710 or made under section 3711 of this title.

“(E) The term ‘subsequent loan’ means a loan to a veteran, other than an interest rate reduction refinancing loan, guaranteed under section 3710 or made under section 3711 of this title if the veteran has previously obtained a loan guaranteed under section 3710 or made under section 3711 of this title.

“(F) The term ‘interest rate reduction refinancing loan’ means a loan described in section 3710(a)(8), 3710(a)(9)(B)(i), 3710(a)(11), 3712(a)(1)(F), or 3762(h) of this title.

“(G) The term ‘0-down’ means a downpayment, if any, of less than 5 percent of the total purchase price or construction cost of the dwelling.

“(H) The term ‘5-down’ means a downpayment of at least 5 percent or more, but less than 10 percent, of the total purchase price or construction cost of the dwelling.

“(I) The term ‘10-down’ means a downpayment of 10 percent or more of the total purchase price or construction cost of the dwelling.

“(c) WAIVER OF FEE.—A fee may not be collected under this section from a veteran who is receiving compensation (or who, but for the receipt of retirement pay, would be entitled to receive compensation) or from a surviving spouse of any veteran (including a person who died in the active military, naval, or air service) who died from a service-connected disability.”.

(c) PROCEDURES APPLICABLE TO LIQUIDATION SALES ON DEFAULTED HOME LOANS GUARANTEED BY THE DEPARTMENT OF VETERANS AFFAIRS.—Section 3732(c)(11) is amended by striking “October 1, 2002” and inserting “October 1, 2008”.

(d) INCOME VERIFICATION AUTHORITY.—Section 5317(g) is amended by striking “September 30, 2002” and inserting “September 30, 2008”.

(e) LIMITATION ON PENSION FOR CERTAIN RECIPIENTS OF MEDICAID-COVERED NURSING HOME CARE.—Section 5503(f)(7) is amended by striking “September 30, 2002” and inserting “September 30, 2008”.

(f) ANNUAL REPORT OF COMMITTEE ON MENTALLY ILL VETERANS.—Section 7321(d)(2) is amended by striking “three” and inserting “six”.

(g) AUTHORITY TO ESTABLISH RESEARCH AND EDUCATION CORPORATIONS.—Section 7368 is amended by striking “December 31, 2000” and inserting “December 31, 2003”.

SEC. 403. PRESERVATION OF CERTAIN REPORTING REQUIREMENTS.

(a) INAPPLICABILITY OF PRIOR REPORTS TERMINATION PROVISION TO CERTAIN REPORTS OF THE DEPARTMENT OF VETERANS AFFAIRS.—Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following: sections 503(c), 529, 541(c), 542(c), 3036, and 7312(d) of title 38, United States Code.

(b) REPEAL OF REPORTING REQUIREMENTS TERMINATED BY PRIOR LAW.—Sections 8111A(f) and 8201(h) are repealed.

(c) SUNSET OF CERTAIN REPORTING REQUIREMENTS.—

(1) ANNUAL REPORT ON EQUITABLE RELIEF CASES.—Section 503(c) is amended by adding at the end the following new sentence: “No report shall be required under this subsection after December 31, 2004.”.

(2) BIENNIAL REPORT OF ADVISORY COMMITTEE ON FORMER PRISONERS OF WAR.—Section 541(c)(1) is amended by inserting “through 2003” after “each odd-numbered year”.

(3) BIENNIAL REPORT OF ADVISORY COMMITTEE ON WOMEN VETERANS.—Section 542(c)(1) is amended by inserting “through 2004” after “each even-numbered year”.

(4) BIENNIAL REPORTS ON MONTGOMERY GI BILL.—Subsection (d) of section 3036 is amended to read as follows:

“(d) No report shall be required under this section after January 1, 2005.”.

(5) ANNUAL REPORT OF SPECIAL MEDICAL ADVISORY GROUP.—Section 7312(d) is amended by adding at the end the following new sentence: “No report shall be required under this subsection after December 31, 2004.”.

(d) COST INFORMATION TO BE PROVIDED WITH EACH REPORT REQUIRED BY CONGRESS.—(1)(A) Chapter 1 is amended by adding at the end the following new section:

“§ 116. Reports to Congress: cost information

“Whenever the Secretary submits to Congress, or any committee of Congress, a report that is required by law or by a joint explanatory statement of a committee of conference of the Congress, the Secretary shall include with the report—

“(1) a statement of the cost of preparing the report; and

“(2) a brief explanation of the methodology used in preparing that cost statement.”.

(B) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"116. Reports to Congress: cost information."

(2) Section 116 of title 38, United States Code, as added by paragraph (1) of this subsection, shall apply with respect to any report submitted by the Secretary of Veterans Affairs after the end of the 90-day period beginning on the date of the enactment of this Act.

SEC. 404. TECHNICAL AMENDMENTS.

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

(1) Section 1116(a)(2)(F) is amended by inserting "of disability" after "to a degree"

(2) Section 1318(b)(3) is amended by striking "not later than" and inserting "not less than".

(3) Section 1712(a)(4)(A) is amended by striking "subsection (a) of this section (other than paragraphs (3)(B) and (3)(C) of that subsection)" and inserting "this subsection".

(4) Section 1720A(c)(1) is amended by striking "for such disability" and all that follows through "to such member" and inserting "for such disability. Care and services provided to a member so transferred".

(5) Section 2402(7) is amended by striking "chapter 67 of title 10" and inserting "chapter 122 of title 10".

(6) Section 3012(g)(2) is amended by striking "subparagraphs" both places it appears and inserting "subparagraph".

(7) Section 3684(c) is amended by striking "calender" and inserting "calendar".

(8) The table of sections at the beginning of chapter 41 is amended by inserting after the item relating to section 4110A the following new item: "4110B. Coordination and nonduplication."

(9) The text of section 4213 is amended to read as follows:

"(a) Amounts and periods of time specified in subsection (b) shall be disregarded in determining eligibility under any of the following:

"(1) Any public service employment program.

"(2) Any emergency employment program.

"(3) Any job training program assisted under the Economic Opportunity Act of 1964.

"(4) Any employment or training program carried out under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.).

"(5) Any other employment or training (or related) program financed in whole or in part with Federal funds.

"(b) Subsection (a) applies with respect to the following amounts and periods of time:

"(1) Any amount received as pay or allowances by any person while serving on active duty.

"(2) Any period of time during which such person served on active duty.

"(3) Any amount received under chapters 11, 13, 30, 31, 32, and 36 of this title by an eligible veteran.

"(4) Any amount received by an eligible person under chapters 13 and 35 of this title.

"(5) Any amount received by an eligible member under chapter 106 of title 10."

(10) Section 7603(a)(1) is amended by striking "subsection" and inserting "subchapter".

(b) OTHER LAWS.—

(1) Effective November 30, 1999, and as if included therein as originally enacted, section 208(c)(2) of the Veterans Millennium Health Care and Benefits Act (Public Law 106-117; 113 Stat. 1568) is amended by striking "subsection (c)(1)" and inserting "subsection (c)(3)".

(2) Effective November 21, 1977, and as if included therein as originally enacted, section 402(e) of the Veterans' Benefits Act of 1997 (Public Law 105-114; 111 Stat. 2294) is amended by striking "second sentence" and inserting "third sentence".

Amend the amendment of the House to the title so as to read: "An Act to amend title 38, United States Code, to increase the rates of educational assistance under the Mont-

gomery GI Bill, to improve procedures for the adjustment of rates of pay for nurses employed by the Department of Veterans Affairs, to make other improvements in veterans educational assistance, health care, and benefits programs, and for other purposes."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. STUMP) and the gentleman from Illinois (Mr. EVANS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. STUMP).

GENERAL LEAVE

Mr. STUMP. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on S. 1402, the legislation now under consideration.

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

There was no objection.

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

(Mr. STUMP asked and was given permission to revise and extend his remarks.)

Mr. STUMP. Madam Speaker, this bill represents an agreement we have reached before the Senate Committee on Veterans' Affairs on issues brought before the House and Senate in this session of the 106th Congress. It improves many of the benefits and health care programs serving veterans today.

Let me touch on just a few of the major provisions. This bill makes a number of improvements to the Montgomery GI Bill, the veterans' education assistance program named for our former colleague, the gentleman from Mississippi, Sonny Montgomery. I saw him here on the floor earlier, and I would like to welcome him back. It raises the monthly benefit rate from \$552 to \$650, and permits GIs to earn an additional \$150 a month by contributing \$600 to their account while they are in service.

Since 1998, we have raised the GI bill monthly allowance by some 48 percent. This bill also increases the educational benefit payable each month to a student who is a child or a spouse of a veteran who is totally disabled or who died of a service-connected cause.

Additionally, the bill authorizes the VA to provide an annual pay increase to some 35,000 VA nurses as well as the VA dentists.

There are a good many provisions in this bill, and at this time I would like to commend the chairman of our Subcommittee on Health, the gentleman from Florida (Mr. STEARNS) for the outstanding job he has done. Overseeing the VA health care system is a very challenging task at times, and the gentleman from Florida has done a magnificent job of doing just that.

Madam Speaker, I submit for the RECORD an explanatory statement on the Senate amendments to the House amendments to S. 1402.

The Senate amendments to the House amendments to S. 1402, as amended, reflect a compromise agreement that the House and Senate Committees on Veterans' Affairs have reached on H.R. 284, H.R. 4268, H.R. 4850, H.R. 5109, H.R. 5139, H.R. 5346, H. Con. Res. 413, S. 1076, S. 1402, and S. 1810. On May 23, 2000, the House passed S. 1402 with an amendment consisting of the text of H.R. 4268 as reported. H.R. 4850 passed the House on July 25, 2000. H.R. 5109 passed the House on September 21, 2000. H.R. 284 passed the House on October 3, 2000. S. 1076 passed the Senate on September 8, 1999, and S. 1810 passed the Senate on September 21, 2000. S. 1402 passed the Senate on July 26, 1999. H. Con. Res. 413 was introduced on September 28, 2000. H.R. 5346 was introduced on September 29, 2000. H.R. 5139 passed the House on October 3, 2000.

The House and Senate Committees on Veterans' Affairs have prepared the following explanation of S. 1402, as amended (hereinafter referred to as the "Compromise Agreement"). Differences between the provisions contained in the Compromise Agreement and the related provisions of H.R. 284, H.R. 4268, H.R. 4850, H.R. 5109, S. 1076, S. 1402, and S. 1810 are noted in this document, except for clerical corrections, conforming changes made necessary by the Compromise Agreement and minor drafting, technical and clarifying changes.

TITLE I—EDUCATIONAL ASSISTANCE PROVISIONS

Subtitle A—Montgomery GI Bill Educational Assistance

INCREASE IN RATES ON BASIC EDUCATIONAL ASSISTANCE UNDER THE MONTGOMERY GI BILL

Current Law

Section 3011 of title 38, United States Code, establishes basic educational assistance entitlement under the All-Volunteer Force Educational Assistance Program (commonly referred to as the "Montgomery GI Bill" or "MGIB") Active Duty program. Section 3015 establishes the base amount of such educational assistance at the monthly rate of \$528 for a 3-year period of service and \$429 for a 2-year period of service. These amounts increased to \$552 per month and \$449 per month, respectively, on October 1, 2000.

House Bill

Section 2 of the House amendments to S. 1402 would increase the current monthly rate of basic education benefits to \$600 per month effective October 1, 2000, and to \$720 per month on October 1, 2002, for full-time students. The monthly rate for 2-year enlistees would increase to \$487 per month effective October 1, 2000, and to \$585 per month on October 1, 2002. This section provides parallel increases for part-time students and similar adjustments to the rates paid for correspondence and other types of training. No cost-of-living increases would be made in fiscal years 2001 and 2003.

Senate Bill

Section 4 of S. 1402 would increase the monthly rate of basic education benefits to \$600 per month for 3-year enlistees and \$488 per month for 2-year enlistees.

Compromise Agreement

Under section 101 of the compromise agreement, effective November 1, 2000, the basic education benefit would be increased from \$552 per month (effective October 1, 2000) to \$650 per month for a 3-year period of service, and \$528 per month for a 2-year period of service.

UNIFORM REQUIREMENT FOR HIGH SCHOOL DIPLOMA OR EQUIVALENCY BEFORE APPLICATION FOR MONTGOMERY GI BILL BENEFITS

Current Law

To be eligible to receive educational assistance, section 3011(a)(2) of title 38, United

States Code, requires that a servicemember complete the requirements of a secondary school diploma (or equivalent certificate) before the end of the individual's initial obligation period of active duty. Section 3012(a)(2) contains a similar requirement for servicemembers who serve 2 years of active duty as part of a 6-year Selected Reserve commitment.

Senate Bill

Section 111 of S. 1810 would create a single, uniform secondary school diploma requirement as a prerequisite for eligibility for education benefits—a requirement that, prior to applying for benefits, the applicant will have received a high school diploma or equivalency certificate, or will have completed the equivalent of 12 semester hours in a program of education leading to a standard college degree.

House Bill

The House bills contain no comparable provisions.

Compromise Agreement

Section 102 of the compromise agreement follows the Senate language, modified to reflect a new 10-year eligibility period for individuals affected by this provision, which would begin tolling on such individual's last discharge (or release from active duty) or the effective date of this Act, whichever is later.

REPEAL OF REQUIREMENT FOR INITIAL OBLIGATED PERIOD OF ACTIVE DUTY AS CONDITION OF ELIGIBILITY FOR MONTGOMERY GI BILL BENEFITS

Current Law

Sections 3011(a)(1)(A)(i) and 3012(a)(1)(A)(i) of title 38, United States Code, set forth initial-period-of-active-duty requirements to earn basic educational assistance entitlement under the Montgomery GI Bill. The period within which a servicemember's eligibility for educational assistance can be established is currently restricted to the initial period of active duty service.

Senate Bill

Section 112 of S. 1810 would strike the requirement that MGIB benefit entitlement be predicated on serving an "initial" period of obligated service and substitute in its place a requirement that an obligated period of active duty be served.

House Bill

The House bills contain no comparable provision.

Compromise Agreement

Section 103 of the compromise agreement follows the Senate language with a clarifying amendment that for an obligated period of service of at least 3 years, the servicemember would have to complete at least 30 months of continuous active duty under that period of obligated service. In addition, the compromise agreement contains a modification to reflect a new 10-year eligibility period for individuals affected by this provision, which would begin tolling on such individual's last discharge (or release from active duty) or the effective date of this Act, whichever is later.

ADDITIONAL OPPORTUNITY FOR CERTAIN VEAP PARTICIPANTS TO ENROLL IN BASIC EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL

Current Law

Section 3018C of title 38, United States Code, furnishes an opportunity for certain post-Vietnam-era Veterans' Educational Assistance Program (VEAP) participants to convert to the Montgomery GI Bill (MGIB) if the individual was a participant in VEAP on October 9, 1996, was serving on active duty on that date, meets high school diploma or

equivalency requirements before applying for MGIB benefits, is discharged from active duty after the individual makes the election to convert, and during the 1-year period beginning on October 9, 1996, makes an irrevocable election to receive benefits under the MGIB in lieu of VEAP, and also elects a \$1,200 pay reduction.

House Bill

Section 3 of the House amendments to S. 1402 would furnish individuals who have served continuously on active duty since October 9, 1996, through at least April 1, 2000, and who either turned down a previous opportunity to convert to the MBIB or had a zero balance in their VEAP account, the option to pay \$2,700 to convert to the MGIB program; individuals would have 12 months to elect to convert and 18 months to make payment.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 104 of the compromise agreement contains the House language.

INCREASED ACTIVE DUTY EDUCATIONAL ASSISTANCE BENEFIT FOR CONTRIBUTING MEMBERS

Current Law

Section 3011(b) of title 38, United States Code, requires servicemembers who elect to participate in the Montgomery GI Bill program to participate in a voluntary pay reduction of \$100 per month for the first 12 months of active service to establish entitlement to basic educational assistance.

Senate Bill

Section 6 of S. 1810 would allow servicemembers who have not opted out of MGIB participation to increase the monthly rate of educational benefits they will receive after service by making contributions, at any time prior to leaving service, over and above the \$1,200 basic pay reduction necessary to establish MGIB eligibility. Under section 6, a servicemember could contribute up to an additional \$600 in multiple of \$4. The monthly rate of basic educational assistance would be increased by \$1 per month for each \$4 so contributed. Thus, MGIB participants who "use up" their full 36 months of MGIB benefits would receive a 9-to-1 return on their additional contribution investment. A maximum in-service contribution of \$600 would yield an additional \$5,400 of entitlement to the 36-month MGIB benefit.

House Bill

The House bills contain no comparable provision.

Compromise Agreement

Section 105 of the compromise agreement follows the Senate language with amendments to make this provision effective May 1, 2001, and to make eligible any servicemember who was on active duty on the date of enactment and subsequently discharged between date of enactment and May 1, 2001 to have until July 31, 2001. These individuals would have until July 31, 2001, to make an election to "buy up" additional benefits.

Subtitle B—Survivors' and Dependents' Educational Assistance

INCREASE IN RATES OF SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE

Current Law

Section 3532 of title 38, United States Code, provides survivors' and dependents' educational assistance (DEA) allowances of \$485 per month for full-time school attendance, with lesser amounts for part-time training. Generally, eligible survivors and dependents include unmarried spouses of veterans who

died or are permanently or totally disabled or servicemembers who are missing in action or captured for more than 90 days by a hostile force or detained or interned for more than 90 days by a foreign government. Under section 3534, such benefits are also available for correspondence courses, special restorative training, and apprenticeship training.

House Bill

Section 4 of the House amendments to S. 1402 would increase DEA benefits for full-time classroom training students to \$600 per month effective October 1, 2000, and \$720 per month effective October 1, 2002, with parallel increases for part-time students and similar adjustments to the rates paid for correspondence and other types of training. Apprenticeship training would increase from \$353 to \$437 per month effective October 1, 2000, and \$524 per month effective October 1, 2002. This provision also requires annual cost-of-living allowances for DEA benefits.

Senate Bill

Section 5 of S. 1402 would increase the full-time rate of DEA benefits by 13.6 percent to \$550 per month, and make parallel increases in the benefit rates afforded to three-quarter time and half-time students. Increases of 13.6 percent in the amounts for correspondence courses, special restorative training, and apprenticeship training would also be afforded.

Compromise Agreement

Under section 111 of the compromise agreement, effective November 1, 2000, the basic education benefit for survivors and dependents would increase from \$485 per month to \$588 per month, with future annual cost-of-living increases effective October 1, 2001.

ELECTION OF CERTAIN RECIPIENTS OF COMMENCEMENT PERIOD OF ELIGIBILITY FOR SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE

Current Law

Section 3512(a)(3) of title 38, United States Code, provides that if the Secretary first finds that the parent from whom eligibility for DEA benefits is derived has a total and permanent service-connected disability, or if the death of the parent from whom eligibility is derived occurs between an eligible child's 18th and 26th birthdays, then such eligibility period shall end 8 years after whichever date last occurs: 1) the date on which the Secretary first finds that the parent from whom eligibility is derived has a total and permanent service-connected disability, or 2) the date of death of the parent from whom eligibility is derived. "First finds" is defined in this section as either the date the Secretary notifies an eligible parent of total and permanent service-connected disability or the effective date of such disability award.

Senate Bill

Section 114 of S. 1810 would allow a child to elect the beginning date of eligibility for DEA benefits that is between 1) in the case of a child whose eligibility is based on a parent who has a total and permanent service-connected disability, the effective date of the rating determination and the date of notification by the Secretary for such disability, 2) in the case of a child whose eligibility is based on the death of a parent, the date of the parent's death and the date of the Secretary's decision that the death was service-connected.

House Bill

The House bills contain no comparable provision.

Compromise Agreement

Section 112 of the compromise agreement contains the Senate language.

ADJUSTED EFFECTIVE DATE FOR AWARD OF SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE

Current Law

Section 5113 of title 38, United States Code, states that except for the effective date of adjusted benefits, dates relating to awards under chapters 30, 31, 32, 34, and 35, or chapter 1606 of title 10 shall, to the extent feasible, correspond to effective dates relating to awards of disability compensation.

House Bill

Section 4 of the House amendments to S. 1402 would permit the award of DEA benefits to be retroactive to the date of the entitling event, that is, service-connected death or award of a total and permanent service-connected disability. This provision would be limited to eligible person who submit an original claim for DEA benefits within 1 year after the date of the rating decision first establishing the person's entitlement.

Senate Bill

Section 115 of S. 1810 would tie the effective date of award for DEA benefits to the date of the entitling event, i.e., the date of a veteran's service-connected death or award of a permanent and total disability rating. This provision would be limited to eligible persons who submit an original claim for DEA benefits within 1 year after the date of the rating decision first establishing the person's entitlement.

Compromise Agreement

Section 113 of the compromise agreement contains the Senate language.

AVAILABILITY UNDER SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE OF PREPARATORY COURSES FOR COLLEGE AND GRADUATE SCHOOL REQUIREMENTS

Current Law

Sections 3002(3) and 3501(a)(5) of title 38, United States Code, define the "program of education" for which veterans and surviving spouses and children, receive educational assistance benefits. Section 701 of Public Law 106-118 modified section 3002(3) of title 38, United States Code, to permit a veteran to use benefits for preparatory courses. Examples of preparatory courses include courses for standardized tests used for admission to college or graduate school.

Senate Bill

Section 113 of S. 1810 would allow survivors' and dependents' educational assistance benefits to be provided for use on preparatory courses.

House Bill

The House bills contain no comparable provision.

Compromise Agreement

Section 114 of the compromise agreement follows the Senate language with an amendment clarifying that qualifying persons may pursue preparatory courses prior to the person's 18th birthday.

Subtitle C—General Educational Assistance
REVISION OF EDUCATIONAL ASSISTANCE
INTERVAL PAYMENT REQUIREMENTS

Current Law

Section 3680(a)(C) of title 38, United States Code, allows VA to pay educational assistance for periods between a term, semester, or quarter if the interval between these periods does not exceed one calendar month.

House Bill

Section 6 of the House amendments to S. 1402 would allow monthly educational assistance benefits to be paid between term, quarter, or semester intervals of up to 8 weeks.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 121 of the compromise agreement contains the House language.

AVAILABILITY OF EDUCATION BENEFITS FOR PAYMENT FOR LICENSING OR CERTIFICATION TESTS

Current Law

Chapters 30, 31, 32, 34, 35, and 36 of title 38, United States Code, do not currently authorize use of VA educational assistance benefits for occupational licensing or certification tests.

House Bill

Section 7 of the House amendments to S. 1402 would allow veterans' and DEA benefits to be used for up to \$2,000 in fees for civilian occupational licensing or certification examinations that are necessary to enter, maintain, or advance into employment in a vocation or profession. This section would establish various requirements regarding the use of such entitlement and requirements for organizations or entities offering licensing or certification tests. This section also establishes minimum approval requirements of a licensing or certification body, requirements for tests, requirements for organizations or entities offering these tests, VA administrative authority (including a requirement to develop the computer systems and procedures to make payments to beneficiaries for these tests), and a seven-member, organization-specific VA Professional Certification and Licensing Advisory Committee.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 122 of the compromise agreement follows the House language with an amendment that the Secretary shall name seven individuals to the VA professional Certification and Licensing Advisory Committee, an amendment that deletes specific names of organizations from which members shall be named, and an amendment that deletes the requirement that members shall service without compensation.

INCREASE FOR FISCAL YEARS 2001 AND 2002 IN AGGREGATE ANNUAL AMOUNT AVAILABLE FOR STATE APPROVING AGENCIES FOR ADMINISTRATIVE EXPENSES

Current Law

Section 3674(a)(4) of title 38, United States Code, makes available amounts not exceeding \$13 million in each fiscal year for duties carried out by State Approving Agencies

House Bill

The House bills contain no comparable provision.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 123 of the compromise agreement amends the amount available for State Approving Agencies to \$14 million for fiscal year 2001 and fiscal year 2002.

TITLE II—HEALTH PROVISIONS

Subtitle A—Personnel Matters

ANNUAL NATIONAL PAY COMPARABILITY ADJUSTMENT FOR NURSES EMPLOYED BY THE DEPARTMENT OF VETERANS AFFAIRS

Current Law

The rate of pay for VA nurses is determined using a mechanism contained in Subchapter IV of Chapter 74, title 38, United States Code. The law links changes in total pay to nurse compensation trends in local health care labor markets. This locality pay feature has not always produced the results

envisioned by Congress. For example, even though many VA nurses received very substantial one-time increases as a consequence of the 1900 restructuring of basic pay, some VA nurses have not received any additional pay raises since that time.

House Bill

Section 101 of H.R. 5109 would reform the local labor market survey process and replace it with a discretionary survey technique. The bill would provide more flexibility to VA medical center directors to obtain the data needed to complete necessary surveys and also restrict their authority to withhold indicated rate increases. Directors would be prohibited from reducing nurse pay. In addition, the House bill would also guarantee VA nurses a national comparability increase equivalent to the amount provided to other federal employees. The bill also would require Veterans Health Administration network directors to consult with nurses on questions of policy affecting the work of VA nurses, and would provide for registered nurses' participation on medical center committees considering clinical care, budget matters, or resource allocation involving the care and treatment of veteran patients.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 201 of the compromise agreement contains the House language.

SPECIAL PAY FOR DENTISTS

Current Law

Subchapter III of Chapter 74, title 38, United States Code, authorizes special pay to physicians and dentists employed in the Veterans Health Administration. This authority is intended to improve recruitment and retention of dentists and physicians.

House Bill

Section 102 of H.R. 5109 would revise and increase the rates of special pay for VA dentists. This is the first proposed change in these rates since 1991.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 202 of the compromise agreement contains the House language. The Committees urge medical center directors to utilize the full range of pay increases authorized, including increases in the higher range, to optimize dentist recruitment and retention efforts.

EXEMPTION FOR PHARMACISTS FROM CEILING ON SPECIAL SALARY RATES

Current Law

Under section 7455 of title 38, United States Code, VA has authority to increase rates of basic pay for certain health care personnel—either nationally, locally or on another geographic basis—when deemed necessary for successful recruiting and retention. Special rates may be granted in response to salaries in local labor market, but may not enable VA to be a pay leader. With limited exceptions, the law restricts such "special salary rates" to a maximum pay rate, but exempts two categories of health care personnel from that statutory ceiling: nurse anesthetists and physical therapists.

House Bill

Section 103 of H.R. 5109 adds VA pharmacists to the existing categories of VA personnel exempted from such statutory pay ceilings. This amendment would enable VA to improve retention of the most senior members of the current pharmacy workforce and would improve its competitiveness in recruiting new pharmacists.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 203 of the compromise agreement contains the Housing language.

TEMPORARY FULL-TIME APPOINTMENTS OF CERTAIN MEDICAL PERSONNEL

Current Law

Section 7405 of title 38, United States Code, authorizes VA to provide temporary appointments of individuals in certain professions, including nursing, pharmacy, and respiratory, physical, and occupational therapy, who have successfully completed a full course of study but who are pending registration, licensure, or certification. Upon obtaining the required credentials, these professionals may be converted to career appointments. This temporary appointment authority provides VA a means of recruiting new health professionals still in the process of meeting the technical qualification standards pertinent to their fields.

However, VA must now limit physician assistants (PAs) waiting to take the PA certification examination to a general 1 year, non-renewable appointment. Since the national certification examination is only offered once a year, this 1-year appointment limits VA's efforts to provide a smooth transition from a training appointment to a permanent appointment for such graduates.

House Bill

Section 105 of H.R. 5109 would amend section 7405(c)(2) of title 38, United States Code, to add the position of physician assistant to the existing of professional and technical occupations for which VA may make temporary graduate technician appointments, provided these individuals have completed training programs acceptable to the Secretary. Under this appointment authority, graduate physician assistants would have up to 2 years to obtain professionals certification or licensure.

Senate Bill

Section 203 of S. 1810 would accomplish the same ends as the above-described language with respect to physician assistant temporary graduate technician appointments.

Compromise Agreement

Section 204(a) of the compromise agreement contains the House language.

MEDICAL SUPPORT PERSONNEL

Current Law

Section 7405 of title 38 United States Code, permits the temporary appointment of certain medical support personnel who work primarily in the laboratories and other facilities of VA principal investigators who have been awarded VA research and development funds through VA's scientific merit review process. These technicians are appointed for a maximum term of 2 years. The normal VA cycle of 3-year research awards conflicts with the 2-year maximum term for appointments of these key personnel in VA's research and development program.

House Bill

Section 105 of H.R. 5109 would amend section 7405(c)(3) of title 38, United States Code, to authorize the Secretary to make and to renew temporary full time appointments for periods not to exceed 3 years.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 204(b) of the compromise agreement contains the House language.

QUALIFICATIONS OF SOCIAL WORKERS

Current Law

Section 7402(b)(9) of title 38, United States Code, requires that a VA social worker be-

come licensed, certified, or registered in the state in which he or she works within 3 years of initial appointments in this capacity by the VA. Certain states, such as California, impose prerequisites to the licensure examination that routinely require more than 3 years to satisfy. Many states do not provide reciprocity in social work licensure, and thus will not grant a license in the absence of a new state licensing examination. At present, VA social workers are the only VA health care practitioners who cannot use their states licenses to gain credentials in other states' VA medical centers.

House Bill

Section 106 of H.R. 5109 would allow the Secretary, on the recommendation of the Under Secretary for Health, to waive the 3-year requirement in order to provide sufficient time to newly graduated or transferred VA social workers to prepare for their state licensure examinations.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 205 of the compromise agreement contains the House language.

PHYSICIAN ASSISTANT ADVISOR TO THE UNDER SECRETARY FOR HEALTH

Current Law

Section 7306 of title 38, United States Code, establishes the Office of the Under Secretary for Health and requires that the office include representatives of certain health care professions. VA is the nation's largest single employer of physician assistants (PAs), with over 1,100 physician assistants on VA's employment rolls. Nevertheless, PAs are not represented by a number of their field in the office of the Under Secretary for Health.

House Bill

Section 104 of H.R. 5109 would establish a PA consultant position which would be filled by a VHA physician assistant designated by the Under Secretary for Health. This individual could be assigned to the field with occasional official visits as needed to VHA headquarters or elsewhere as required to fulfill assigned duties of the position. The PA consultant would advise the Under Secretary on all matters relating to the utilization and employment of physician assistants in the Veterans Health Administration.

Senate Bill

Section 202 of S. 1810 would add an Advisor on Physician Assistants to the immediate Office of the Under Secretary for Health, would require this individual to serve in an advisory capacity and would require that the PA advisor shall advise the Under Secretary on matters regarding general and expanded utilization, clinical privileges, and employment (including various specific matters associated therewith) of physician assistants in the Veterans health Administration.

Compromise Agreement

Section 206 of the compromise agreement incorporates portions of both the House and Senate language. The Committees call upon VA to provide the individual selected as Advisor on Physician Assistants with necessary support and resources to enable this consultant to fulfill the assigned responsibilities of the position.

EXTENSION OF VOLUNTARY SEPARATION INCENTIVE PAYMENTS

Current Law

Public Law 106-117, the Veterans Millennium Health Care and Benefits Act of 1999, authorized a temporary program of voluntary separation incentive payments to assist VA in restructuring its workforce. This

program limited VA to a 15-month authorization period for such "buyouts" of VA employees, limited to 4,700 the number of staff who could participate, and required VA to make a contribution of 26 percent of the average salary of participating employees to the Civil Service Retirement and Disability Fund. This provision also requires a one-for-one employee replacement for each such buyout approved under this policy.

House Bill

Section 107 of H.R. 5109 would amend title XI of Public Law 106-117 to increase the number of VA positions subject to buyouts to 8,110. The House measure would also adjust the contribution made by VA to the retirement fund to 15 percent, an amount equivalent to the amount that most other Federal agencies must contribute to the fund for their buyout participants. The measure extends VA's buyout authority from December 31, 2000 to December 31, 2002.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 207 of the compromise agreement follows the House language, but limits the number of VA positions subject to buyouts to 7,734 and allocates the position for activities of the Veterans Health Administration, Veterans Benefits Administration, National Cemetery Administration, and VA staff offices.

Subtitle B—Military Service Issues

MILITARY SERVICE HISTORY

Current Law

No provision.

House Bill

Section 301 of H.R. 5109 would require VA to take and maintain a thorough history of each veteran's health, including a military medical history. Ascertaining that a veteran was a prisoner of war, participated directly in combat, or was exposed to sustained sub-freezing conditions, toxic substances, environmental hazards, or nuclear ionizing radiation often facilitates diagnosis and treatment of veterans. The House bill would provide veterans assurance that such a policy becomes a matter of routine clinical practice in VA.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 211 of the compromise agreement adopts the intent of the House proposal, but in the form of a Sense of the Congress Resolution to express the sense of Congress that VA proceed to implement a system of record keeping to record veterans' military history.

STUDY OF POST-TRAUMATIC STRESS DISORDER (PTSD) IN VIETNAM VETERANS

Current Law

Public Law 98-160 directed VA to conduct a large-scale survey on the prevalence and incidence of PTSD and other psychological problems in Vietnam veterans. The study found that 15 percent of male and 8.5 percent of female Vietnam veterans suffered from PTSD. Among those exposed to high levels of war zone stress, however, PTSD rates were dramatically higher. Also, the study found that nearly one-third of Vietnam veterans had suffered from PTSD at some point after military service.

House Bill

Section 302 of HR 5109 would direct the VA to enter into a contract with an "appropriate entity" to carry out a follow-up study to the study conducted under Public Law 98-160.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 212 of the compromise agreement contains the House language. The Committees agree the new study should be kept distinct and independent from VA, as in the original. The compromise agreement is not intended to pre-judge the entity that will win this award.

Subtitle C—Medical Administration

DEPARTMENT OF VETERANS AFFAIRS FISHER HOUSES

Current Law

Current law does not explicitly provide VA with authority to house veterans overnight to expedite outpatient care or next-day hospital admissions. Nor does current law provide explicit authority for VA to accept, maintain, or operate facilities for housing families or others who accompany veterans to VA facilities. However, most VA medical centers offer veterans who live some distance from a medical facility from which they are receiving care or services help with some form of lodging to facilitate scheduled visits or admissions. Indeed, more than 115 facilities offer lodging of some kind on VA grounds, and services are available in non-VA facilities at a number of other locations. Also, over the years, many VA medical centers have converted unused wards and other available space to establish temporary lodging facilities for use by patients. The Under Secretary for Health has encouraged medical centers to establish such facilities to avert the need for hospitalizing patients when outpatient treatment is more appropriate. This guidance to VA facilities suggested that facilities could provide lodging without charge to outpatients and their family members and others accompanying veterans when "medically necessary." The guidance also sanctioned the use of a revocable license for family members under which an individual could be required to pay VA a fee equal to the fair-market value of the services being furnished.

House Bill

Section 404 of H.R. 5109 would clarify VA's authority to provide temporary overnight accommodations in "Fisher Houses," built with funds donated by the Zachary and Elizabeth M. Fisher Foundation. Four such facilities are now being operated in conjunction with VA medical centers and other similar facilities located at or near a VA facility. These accommodations are available to veterans who have business at a VA medical facility and must travel a significant distance to receive Department services, and to other individuals accompany veterans. Section 404 would also give VA clear authority to charge veterans (and those accompanying them) for overnight accommodations and apply fees collected to support continuation of these services. The measure would require VA to promulgate regulations to address matters such as the appropriate limitations on the use of the facilities and the length of time individuals may stay in the facilities.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 221 of the compromise agreement contains the House language.

EXCEPTION TO THE RECAPTURE RULE

Current Law

Section 8136 of title 38, United States Code, requires VA to "recapture" the amount of a grant to a state home for purposes of building or renovating a state veterans home, if, within 20 years, the state home ceases to be

used for providing domiciliary, nursing home, or hospital care for veterans. This provision could be interpreted to require recapture of the grant if the state home allows VA to establish an outpatient clinic in the home.

House Bill

Section 406 of H.R. 5109 would clarify that establishment of an outpatient clinic in a state home would not constitute grounds entitling the United States to recover its grant.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 222 of the compromise agreement contains the House language.

SENSE OF CONGRESS CONCERNING COOPERATION BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS AND THE DEPARTMENT OF DEFENSE IN THE PROCUREMENT OF MEDICAL ITEMS

Current Law

Under the Department of Veterans Affairs (VA) and Department of Defense (DOD) Health Resources Sharing and Emergency Operations Act, Public Law 97-174, VA and DOD have the authority to share medical resources. In 1999, VA and DOD entered into sharing agreements amounting to \$60 million out of combined budgets of approximately \$35 billion. This is resource sharing of less than two-tenths of one percent. On May 25, 2000, the General Accounting Office reported that greater joint pharmaceutical procurements alone could lead to as much as \$345 million in annual recurring savings.

House Bill

H. Con. Res. 413 would encourage expanded joint procurement of medical items, to include prescription drugs.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 223 of the compromise agreement contains the House language.

SUBTITLE D—CONSTRUCTION AUTHORIZATION AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECTS

Current Law

Section 8104 of title 38, United States Code, provides that no funds may be appropriated for any fiscal year, and VA may not obligate or expend funds (other than for planning and design) for any medical construction project involving a total expenditure of more than \$4 million unless funds for that project have been specifically authorized by law.

House Bill

Section 201 of H.R. 5109 would authorize the construction of a gero-psychiatric care building at the Department of Veterans Affairs Medical Center, Palo Alto, California (\$26.6 million); the construction of a utility plant and electrical vault at the Department of Veterans Affairs Medical Center, Miami, Florida (\$23.6 million); and, seismic corrections, clinical consolidation and other improvements at the Department of Veterans Affairs Medical Center, Long Beach, California (\$51.7 million). Also, the House bill would authorize the renovation of psychiatric nursing units at the Department of Veterans Affairs Medical Center, Murfreesboro, Tennessee, using funds previously appropriated for this specific purpose (\$14 million).

Senate Bill

Section 301 of S. 1810 would authorize construction of a 120-bed gero-psychiatric facility at the Department of Veterans Affairs

Palo Alto Health Care System, Menlo Park Division, California (\$26.6 million); and, construction of a nursing home at the Department of Veterans Affairs Medical Center, Beckley, West Virginia (\$9.5 million). In section 302 of S. 1810, the Senate would amend section 401 of the Veterans Millennium Health Care and Benefits Act of 1999, Public Law 106-117, to add as a seventh project authorized by that act for fiscal year 2000-2001 the Murfreesboro construction project (\$14 million).

Compromise Agreement

Section 231 of the compromise agreement incorporates each of the projects authorized by either body and includes specific authorization for the Murfreesboro project. Also, the compromise agreement provides that the authorizations for Palo Alto, Long Beach, and Beckley will be for 2 years, covering fiscal years 2001 and 2002, while the authorization for the Miami project will be only for fiscal year 2001. The compromise agreement also renews and extends the prior authorization of a project at the Lebanon, Pennsylvania VA Medical Center through the end of fiscal year 2002.

The Miami electrical plant and utility vault project is authorized only for fiscal year 2001. While the compromise agreement authorizes the project to proceed, we note that the current estimate to replace these facilities is \$32 million. Given this level of anticipated expenditure, the Committees urge the Secretary to examine innovative ways to reduce VA's outlay, at least on an initial basis. For example, the Committees note that the Miami facility is located in the midst of a very densely developed community of health and public safety-related institutions, including the Jackson Memorial Hospital and Metro-Dade police headquarters, among others. Given the need for such crucial institutions, including the VA medical center, to have dependable, stable, weather-proof and even fail-safe electrical sources, the Committees urge the Secretary to consider a "performance-based contract" for these services through the local utility (Florida Power and Light), or by consortium with multiple partners in need of similar improvements, assurances and security of utilities. At a minimum, the Secretary must carefully examine the reported cost of this project to ensure that it is being planned to meet known needs, rather than planned for the "highest possible use."

AUTHORIZATION OF APPROPRIATIONS

House

The House bill (H.R. 5109, section 202) would authorize appropriations for fiscal years 2001 and 2002 of \$101.9 million for construction of the facilities authorized in section 201 thereof.

Senate Bill

S. 1810, section 303, would authorize appropriations for fiscal years 2001 and 2002 of \$36.1 million for construction for the facilities authorized in section 301. Also, section 303 alters the authorization funding level of projects authorized in Public Law 106-117 by including the Murfreesboro project discussed above.

Compromise Agreement

Section 232 of the compromise agreement authorizes appropriations for the amounts indicated in each measure for these projects, affecting both fiscal year 2001 and fiscal 2002, as follows:

	Authorizations	Amount authorized (in millions)
Beckley		\$9.5

Authorizations	Amount authorized (in millions)
Lebanon*	14.5
Long Beach	51.7
Miami**	23.6
Murfreesboro	14.0
Palo Alto	26.6

*Indicates authorization of appropriation in fiscal year 2002 only.

**Indicates authorization of appropriation in fiscal year 2001 only.

EXTENSION OF CONSTRUCTION AUTHORIZATION AT THE LEBANON, PENNSYLVANIA VA MEDICAL CENTER

Current Law

Section 401 of Public Law 106-117 (113 Stat. 1572) authorized a major construction project at the Lebanon, Pennsylvania, VA Medical Center. The project was authorized for fiscal year 2002 and fiscal year 2001.

House

The House bills contain no comparable provision.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 232(a)(3) of the compromise agreement extends through fiscal year 2002 the prior authorization for construction of a long-term care facility at the Department of Veterans Affairs Medical Center, Lebanon, Pennsylvania, in an amount not to exceed \$14.5 million.

Subtitle E—Real Property Matters

CHANGE TO ENHANCED USE LEASE
CONGRESSIONAL NOTIFICATION PERIOD

Current Law

Section 8163(a) of title 38, United States Code, requires the Secretary to notify Congress of VA's intention to pursue an enhanced-use lease of unused VA property, then wait a period of "60 legislative days" prior to proceeding with the specific lease objective(s). In the Veterans' Millennium Health care Act, Public Law 106-117, Congress eased limits in law on leasing underused VA property based on a finding that long-term leasing could be used more extensively to enhance health care delivery to veterans.

House

Section 407 of H.R. 5109 would amend the waiting period for VA notifications to Congress from 60 "legislative" days to 90 "calendar" days. This change would shorten the length of time VA must wait before entering into an enhanced-use lease.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 241 of the compromise agreement contains the House language.

RELEASE OF REVERSIONARY INTEREST OF THE UNITED STATES IN CERTAIN REAL PROPERTY PREVIOUSLY CONVEYED TO THE STATE OF TENNESSEE

Current Law

In 1953, by Act of congress (67 Stat. 54), the federal government transferred certain property of the Veterans Administration (now Department of Veterans Affairs) in Johnson City (now Mountain Home), Tennessee, to the State of Tennessee, for use by the Army National Guard of the State of Tennessee. The act of transfer retained a reversionary interest in the land on the part of the government in the event that the State of Tennessee ceased to use the land as a training area for the guard and for "other military purposes." The land is no longer being used

by the Tennessee National Guard and has no practical use by the government. Local municipal officials desire the land as a site for a public park and recreation area, and the State of Tennessee has made a commitment to transfer the land for these purposes but may not do so absent a recision of the federal government's reversionary interest in the property.

House Bill

Section 407 of H.R. 5109 would rescind the government's reversionary interest in the Tennessee property.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 242 of the compromise agreement contains the House language.

TRANSFER OF THE ALLEN PARK, MICHIGAN, VA MEDICAL CENTER TO FORD MOTOR LAND DEVELOPMENT CORPORATION

Current Law

In 1937, the Henry Ford family donated a 39-acre plot to VA expressly for the establishment of the Allen Park, Michigan VA Hospital. The conveyance provided that VA must return the land, in the same condition as it was received, if VA ceased to utilize it for veterans' health care. In 1996, VA activated a new VA Medical Center in Detroit.

House Bill

H.R. 5346 would transfer the land, the site of the former Allen Park, Michigan VA Medical Center, and all improvements thereon, to the Ford Motor Land Development Corporation, a subsidiary of Ford Motor Company. Having been replaced in 1996 by a new VA Medical Center in Detroit, the facility now is in disrepair. The bill would require up to 7 years of cooperation between VA and Ford in demolition, environmental cleanup (including remediation of hazardous material and environmental contaminants found on the site), and restoration of the property to its prior state. VA contributions would be limited to \$2 million per year over the period, and Ford would be responsible for any amount over VA's total contribution (\$14 million) required to complete the restoration. At the conclusion of restorative work, the Secretary would formally abandon the property, which would then revert to Ford Motor Land Development Corporation, in accordance with the reversionary clause contained in the original 1937 gift.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 243 of the compromise agreement contains the House language.

TRANSFER OF LAND AT THE CARL VINSON VA MEDICAL CENTER, DUBLIN, GEORGIA

Current Law

No provision.

House Bill

H.R. 5139 would convey to the Board of Regents of the State of Georgia two tracts of real property, including improvements, consisting of 39 acres at the Carl Vinson Department of Veterans Affairs Medical Center, Dublin, Georgia. The bill also conveys to the Community Service Board of Middle Georgia three tracts of property consisting of 58 acres, including improvements, at the Carl Vinson facility. The bill requires these properties be used in perpetuity for education or health care.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 244 of the compromise agreement contains the House language.

LAND CONVEYANCE OF MILES CITY, MONTANA VETERANS AFFAIRS MEDICAL CENTER TO CUSTER COUNTY, MONTANA

Current Law

No provision.

Senate Bill

Section 312 of S. 1810 would transfer VA medical center facilities in Miles City, Montana, to Custer County, Montana, while authorizing VA to lease space in which VA would operate an outpatient clinic. Custer County would devote the transferred land to assisted living apartments for the elderly and to a number of other economic enhancement and community activity uses, including education and training courses through Miles Community College, a technology center, local fire department training, and use by the Montana Area Food Bank. VA, in turn, is relieved of the requirement to spend over \$500,000 per year maintaining a facility that is poorly suited to provide health care to the veterans of eastern Montana. VA would devote the saved funds to expanding Montana veterans' access to care by activating additional community based outpatient clinics in Montana.

House Bill

The House bills contain no comparable provision.

Compromise Agreement

Section 245 of the compromise agreement follows the Senate language. The compromise agreement anticipates that VA will work with the civic leadership of Custer County, Montana in order to identify potential improvements that may be reasonably necessary to effectuate the transfer of the Miles City property to Custer County. Also, the compromise agreement calls for the Secretary to determine to what extent it may be necessary to stipulate any conditions about the transfer, or conditions for VA's future use of this property, prior to the transfer of ownership of this property to Custer County. The compromise agreement further envisions funds appropriated to VA for non-recurring maintenance may be used, as authorized by law, to facilitate the transfer of VA's interest in the Miles City VA Medical Center to Custer County.

TRANSFER OF THE FORT LYON, COLORADO, VA MEDICAL CENTER TO THE STATE OF COLORADO

Current Law

No provision.

Senate Bill

Sections 313 and 314 of S. 1810 would transfer the VA Medical Center, Ft. Lyon, Colorado to the State of Colorado for use by the State as a corrections facility. Under the terms of the bill, the conveyance would take place only when arrangements are made to protect the interests of affected patients and employees of the facility. With respect to patients, the bill would require VA to make alternate arrangements to ensure that appropriate medical care and nursing home care services continue to be provided, on the same basis that care had been provided at Ft. Lyon, to all veterans receiving such services at the medical center. Under the bill, the VA would be authorized to provide care in community facilities at VA expense, notwithstanding other statutory limitations—e.g., title 38, United States Code, section 1720, which limits to 6 months the duration for which such care might be provided to veterans for nonservice-connected disabilities—or by state homes where VA would pay full costs and reimburse the veterans' share of copayments. Further, VA would be authorized to offer voluntary separation incentive

payments to eligible employees of the Ft. Lyon VA medical center. In addition, the State would be required to allow public access to the Kit Carson Chapel located on the grounds of the VA medical center. And, finally, the VA would report on the status of the VA health care system in southern Colorado, not later than 1 year after the conveyance.

House Bill

The House bills contain no comparable provision.

Compromise Agreement

Sections 246 and 247 of the compromise agreement follow the Senate language, except for the provision extending VA's authority to offer voluntary separation incentive payments [subsection (c) of section 314 of S. 1810].

The inclusion of this language in this legislation should not be misconstrued as an erosion of, or acquiescence in, the requirement enacted in Public Law 106-117, the Veterans Millennium Health Care and Benefits Act of 1999, for VA to maintain VA-provided long-term care capacity at the 1998 level. VA continues to be obligated by law to ensure that the cumulative effect of its actions does not result in a reduction in VA's ability to provide institutional long-term care.

It should be noted that section 207 of this bill provides a 2-year extension of VA-wide authority to offer voluntary separation incentive payments to VA employees. The Committees find that the provision specifically granting the Fort Lyon facility a 1-year authority to offer voluntary separation incentive payments is redundant. Further, the Committees were concerned that retaining the Fort Lyon-specific provision in final legislation could have the unintended effect of limiting the 2-year, VA-wide buyout authority, granted in section 207, to 1 year when applied in the case of Fort Lyon. The Committees expect VA to use the authority granted in section 207, as an important human resources management tool, in its conveyance of the Fort Lyon facility.

TITLE III—COMPENSATION, INSURANCE, HOUSING, EMPLOYMENT, AND MEMORIAL AFFAIRS PROVISIONS

Subtitle A—Compensation Programs Changes

PRESUMPTION OF SERVICE CONNECTION FOR HEART ATTACK OR STROKE SUFFERED BY A MEMBER OF A RESERVE COMPONENT IN THE PERFORMANCE OF DUTY WHILE PERFORMING IN ACTIVE DUTY TRAINING

Current Law

Under section 101(24) of title 38, United States Code, guardsmen and reservists who sustain an "injury" during inactive duty training are eligible for certain veterans' benefits, but are not eligible to receive disability compensation for a condition characterized as a "disease" that is incurred or aggravated during such training.

House Bill

Section 201(a) of H.R. 4850 would amend section 101(24) to include an acute myocardial infarction, a cardiac arrest, or a cerebrovascular accident resulting in disability or death and occurring during any period of inactive duty training for the purposes of service-connected benefits administered by VA.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 301 of the compromise agreement contains the House provision.

SPECIAL MONTHLY COMPENSATION FOR WOMEN VETERANS WHO LOSE A BREAST AS A RESULT OF A SERVICE-CONNECTED DISABILITY

Current Law

Section 1114(k) of title 38, United States Code, authorizes a special rate of compensation if a veteran, as the result of a service-connected disability, has suffered the anatomical loss or loss of use of one or more creative organs, or one foot, or one hand, or both buttocks, or blindness of one eye, having only light perception, or has suffered complete loss of the ability to speak, or deafness of both ears. The special monthly compensation is payable in addition to the compensation payable by reason of ratings assigned under the rating schedule.

House Bill

Section 202 of H.R. 4850 would amend section 1114(k) by making veterans eligible for special monthly compensation due to the service-connected loss of one or both breasts due to a radical mastectomy or modified radical mastectomy.

Senate Bill

Section 103 of S. 1810 would amend section 1114(k) by making female veterans eligible for special monthly compensation due to the loss of one or both breasts, including loss by mastectomy.

Compromise Agreement

Section 302 of the compromise agreement contains the Senate provision.

BENEFITS FOR PERSONS DISABLED BY PARTICIPATION IN COMPENSATED WORK THERAPY PROGRAM

Current Law

Section 1151 of title 38, United States Code, provides compensation, under certain circumstances, to veterans who are injured as a result of VA health care or participation in VA vocational rehabilitation. Section 1718 of title 38, United States Code, authorizes the "Compensated Work Therapy Program (CWT)," which pays veterans to work in a variety of positions on contracts with governmental and industrial entities. CWT work is intended to be therapeutic by helping veterans re-enter the work force, enabling them to increase self-confidence and by improving their ability to adjust to the work setting. However, current law provides no mechanism to compensate CWT participants who may be injured as a result of participation.

House Bill

Section 402 of H.R. 5109 would allow VA to provide disability benefits under section 1151 to CWT participants injured while participating in this program.

Senate Bill

The Senate bills contains no comparable provision.

Compromise Agreement

Section 303 of the compromise agreement contains the House language.

REVISION TO LIMITATION ON PAYMENTS OF BENEFITS TO INCOMPETENT INSTITUTIONALIZED VETERANS

Current Law

Under section 5503 of title 38, United States Code, VA is prohibited from paying compensation and pension benefits to an incompetent veteran who has assets of \$1,500 or more if the veteran is being provided institutional care with or without charge by VA (or another governmental provider) and he or she has no dependents. Such payments are restored if the veteran's assets drop to \$500 in value. If VA later determines that the veteran is competent for at least 6 months, the withheld payments are made in a lump sum.

Senate Bill

Section 205 of S. 1076 would repeal the limitation on benefit payments imposed by section 5503 of title 38, United States Code.

House Bill

The House bills contain no comparable provision.

Compromise Agreement

Under section 304 of the compromise agreement, the amount of resources that an incompetent veteran may retain and still qualify for payments is increased from \$1,500 to five times the benefit amount payable to a service-connected disabled veteran rated at 100 percent. If payments are withheld, they may be restored if the veteran's assets drop to one-half of that amount. The Committees expect that in notifying veterans and fiduciaries of the applicability of this requirement, VA will briefly indicate the assets that are counted or excluded in determining net worth. (See 38 C.F.R. §13.109)

REVIEW OF DOSE RECONSTRUCTION PROGRAM OF THE DEFENSE THREAT REDUCTION AGENCY

Current Law

VA provides service-connected compensation benefits to veterans who were exposed to ionizing radiation in service (due to participation in the occupation forces of Hiroshima or Nagasaki immediately after World War II, or in nuclear testing activities during the Cold War era) and who, subsequently, are diagnosed with the presumptive diseases listed in section 1112(c)(2) of title 38, United States Code. VA may also compensate radiation-exposed veterans with diseases not presumed to be service-connected if it determines that it is as likely as not that the disease is the result of exposure, taking into account the amount of exposure and the radiogenic properties of the disease; but VA utilizes dose reconstruction analysis provided by the Department of Defense to determine the estimated exposure.

Senate Bill

Section 171 of S. 1810 specifies that the Department of Defense (DOD) shall contract with the National Academy of Sciences (NAS) to carry out periodic reviews of the dose reconstruction program. NAS would review whether DOD's reconstruction of sampled doses is accurate, whether DOD assumptions regarding exposure based upon sampled doses are credible, and whether data from nuclear testing used by DOD in its reconstructions are accurate. The review would last 24 months and culminate in a report detailing NAS' findings and recommendations, if any, for a permanent review program.

House Bill

The House bills contain no comparable provision.

Compromise Agreement

Section 305 of the compromise agreement follows the Senate language.

Subtitle B—Life Insurance Matters

PREMIUMS FOR TERM SERVICE DISABLED VETERANS' INSURANCE FOR VETERANS OLDER THAN AGE 70

Current Law

VA Administers the Service-Disabled Veterans Insurance (SDVI) program under chapter 19 of title 38, United States Code. SDVI term policy premiums increase every 5 years to reflect the increased risk of death as individuals age.

Senate Bill

Section 131 of S. 1810 would cap premiums for SDVI term policies at the age 70 renewal rate.

House Bill

The House bills contain no comparable provision.

Compromise Agreement

Section 311 of the compromise agreement follows the Senate language with an amendment requiring VA to report to Congress, not

later than September 30, 2001, on plans to liquidate the unfunded liability in the SDVI program not later than October 1, 2011.

INCREASE IN AUTOMATIC MAXIMUM COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE AND VETERANS' GROUP LIFE INSURANCE

Current Law

The Servicemembers' Group Life Insurance (SGLI) program provides up to \$200,000 in coverage to individuals on active duty in the Armed Forces, members of the Ready Reserves, the Commissioned Corps of the National Oceanic and Atmospheric Administration, the Public Health Service, cadets and midshipmen of the four service academies, and members of the Reserve Officer Training Corps. The maximum coverage of \$200,000 is automatically provided unless the servicemember declines coverage or elects coverage at a reduced amount.

Senate Bill

Section 132 of S. 1810 would increase the maximum amount of coverage available through the SGLI program from \$200,000 to \$250,000.

House Bill

The House bills contain no comparable provision.

Compromise Agreement

Section 312 of the compromise agreement contains the Senate language.

ELIGIBILITY OF CERTAIN MEMBERS OF THE INDIVIDUAL READY RESERVE FOR SERVICEMEMBERS' GROUP LIFE INSURANCE

Current Law

Members of the Selected Reserve are eligible for enrollment in the Servicemembers' Group Life Insurance (SGLI) program. Members of the Individual Ready Reserve (IRR) are eligible for SGLI only when called to active duty. Members of the IRR are currently eligible for Veterans Group Life Insurance, but only a small percentage participates.

House Bill

Section 301 of H.R. 4850 would provide those members of the IRR who are subject to involuntary call-up authority to enroll in the Servicemembers' Group Life Insurance program.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 313 of the compromise agreement contains the House language.

Subtitle C—Housing and Employment Programs

ELIMINATION OF REDUCTION IN ASSISTANCE FOR SPECIALLY ADAPTED HOUSING FOR DISABLED VETERANS HAVING JOINT OWNERSHIP OF HOUSING UNITS

Current Law

Under chapter 21 of title 38, United States Code, veterans with severe disabilities such as loss of ambulatory function are eligible for specially adapted housing grants of up to \$43,000 to finance the purchase or remodeling of housing units with special adaptations necessary to accommodate their disabilities. No particular form of ownership is specified in current law. Under regulations promulgated by the Secretary of Veterans Affairs, co-ownership of the property by the veteran and another person is not relevant to the amount of the grant if the co-owner is the veteran's spouse. If, however, the co-owner is a person other than the veteran's spouse, the maximum grant amount is reduced by regulation to reflect the veteran's partial ownership of the property interest, e.g., if the veteran jointly owns the property with one other person such as a sibling, the maximum grant is \$21,500. (See 38 CFR §36.4402)

Senate Bill

Section 121 of S. 1810 would amend section 2102 of chapter 21 of title 38, United States Code, to allow VA to make non-reduced grants for specially adapted housing in cases where title to the housing unit is not vested solely in the veteran, if the veteran resides in the housing unit.

House Bill

The House bills contain no comparable provision.

Compromise Agreement

Section 321 of the compromise agreement contains the Senate language.

VETERAN'S EMPLOYMENT EMPHASIS UNDER FEDERAL CONTRACTS FOR RECENTLY SEPARATED VETERANS

Current Law

Section 4212 of title 38, United States Code, requires that certain Federal contractors and subcontractors take affirmative action to employ and advance "special disabled veterans" (generally, veterans with serious employment handicaps or disability ratings of 30 percent or higher), Vietnam-era veterans, and other veterans who are "preference eligible" (generally, veterans who have served during wartime or in a campaign or expedition for which a campaign badge has been authorized).

Senate Bill

Section 151 of S. 1810 would add recently separated veterans (veterans who have been discharged or released from active duty within a 1-year period) to the definition of veterans to whom Federal contractors and subcontractors must extend affirmative action to employ and advance in employment.

House Bill

The House bills contain no comparable provision.

Compromise Agreement

Section 322 of the compromise agreement contains the Senate language.

EMPLOYERS REQUIRED TO GRANT LEAVE OF ABSENCE FOR EMPLOYEES TO PARTICIPATE AS HONOR GUARDS FOR FUNERALS OF VETERANS

Current Law

Section 4303(13) of title 38, United States Code, defines "service in the uniformed services," as the performance of duty on a voluntary or involuntary basis. Section 4316 defines the rights, benefits, and obligations of persons absent from employment for service in a uniformed service.

House Bill

H.R. 284 would add to the definition of "service in the uniformed services" a period for which a person is absent from employment for the purpose of performing funeral honors authorized duty under section 12503 of title 10, United States Code, or section 115 of title 32, United States Code. An employer would be required to grant an employee who is a member of a reserve component an authorized leave of absence from a position of employment to allow the employee to perform funeral duties. For purposes of intent to return to a position of employment with an employer, H.R. 284 would stipulate that an employee who takes an authorized leave of absence to perform funeral honors duty would be deemed to have notified the employer of the employee's intent to return to such position of employment.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 323 of the compromise agreement contains the House language.

Subtitle D—Cemeteries and Memorial Affairs

ELIGIBILITY OF CERTAIN FILIPINO VETERANS OF WORLD WAR II FOR INTERMENT IN NATIONAL CEMETERIES

Current Law

Section 2402(4) of title 38, United States Code, provides that eligibility for burial in any open VA national cemetery include any citizen of the United States who, during any war in which the United States is or has been engaged, served in the armed forces of any government allied with the United States during that war, and whose last such service terminated honorably.

Senate Bill

Section 141 of S. 1810 would amend section 2402(4) of title 38, United States Code, to provide for the eligibility of a Philippine Commonwealth Army veteran for burial in a national cemetery if, at the time of death, the Commonwealth Army veteran is a naturalized citizen of the United States, and he is a resident of the United States.

House Bill

The House bills contain no comparable provision.

Compromise Agreement

Section 331 of the compromise agreement follows the Senate language with an amendment requiring that the veteran be a citizen of, or lawfully admitted for permanent residence in, the United States, and be receiving compensation or be determined to have been eligible for pension had the veteran's service been deemed to be active military, naval, or air service.

PAYMENT RATE OF BURIAL BENEFITS FOR CERTAIN FILIPINO VETERANS OF WORLD WAR II

Current Law

Former members of the Philippine Commonwealth Army may qualify for VA disability compensation, burial benefits, and National Service Life Insurance benefits, and their survivors may qualify for dependency and indemnity compensation. These benefits are paid at one-half the rate they are provided to U.S. veterans. (See 38 U.S.C. §107).

Senate Bill

Section 201 of S. 1076 would authorize payment of the full-rate funeral expense and plot allowance to survivors of Philippine Commonwealth Army veterans who, at the time of death, a) are citizens of the United States residing in the U.S. and b) are receiving compensation for a service-connected disability or would have been eligible for VA pension benefits had their service been deemed to have been active military, naval, or air service.

House Bill

The House bills contain no comparable provision.

Compromise Agreement

Section 332 of the compromise agreement follows the Senate language with an amendment that as an alternate requirement to citizenship, permanent resident status would suffice for purposes of establishing eligibility.

PLOT ALLOWANCE FOR BURIAL IN STATE VETERANS' CEMETERIES

Current Law

Section 2303(b)(1) provides a plot allowance of \$150 for each veteran buried in a State-owned veterans' cemetery, provided that only persons eligible for burial in a national cemetery are buried in that cemetery.

House Bill

The House bills contain no comparable provision.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 333 of the compromise agreement would allow a State to bury in a State veterans' cemetery members of the Armed Forces or former members discharged or released from service under conditions other than dishonorable—who are not otherwise eligible for burial in a national cemetery—without the State losing its eligibility for a plot allowance.

TITLE IV—OTHER MATTERS

BENEFITS FOR THE CHILDREN OF WOMEN VIETNAM VETERANS WHO SUFFER FROM CERTAIN BIRTH DEFECTS

Current Law

VA has authority to compensate veterans (including additional amounts of compensation for dependents) for service-connected disease or injury. VA may, pursuant to Public Law 104-204, provide benefits to children of Vietnam veterans born with "all forms and manifestations" of spina bifida except spina bifida occulta. Children with spina bifida born of Vietnam veterans currently are eligible for (1) a monthly allowance, varying by degree of disability of the person with spina bifida, (2) health care for any disability associated with that person's spina bifida, and 930 vocational training, job placement, and post-job placement services.

Senate Bill

Section 162 of S. 1810 would extend (with a single variation) to the children born with birth defects to women Vietnam veterans the same benefits as those now afforded to Vietnam veterans' children born with spina bifida under chapter 18 of title 38, United States Code.

House Bill

The House bills contain no comparable provision.

Compromise Agreement

Section 401 of the compromise agreement generally follows the Senate language. The former chapter 18 has been redesignated as subchapter I, the compromise agreement from section 401 of S. 1810 has been designated as subchapter II of chapter 18 and certain general definitional and administrative provisions applicable to both subchapters I and II of chapter 18 have been placed in a new subchapter III.

The definition of "child" in the Senate bill has been moved to a general definitions section (new section 1821) contained in subchapter III. A separate definition of "eligible child" (for purposes of subchapter II) has been provided in a new section 1811. The definition of "female Vietnam veteran" contained in S. 1810 has been removed from subchapter II and replaced by general definitions of Vietnam veteran and Vietnam era in new section 1821.

S. 1810 would have excluded spina bifida from the definition of a covered birth defect in subchapter II. Thus, the Senate bill could have been interpreted so as to require a child to choose to receive a monthly monetary allowance and health care based only on spina bifida or based only on non-spina bifida disabilities, but not both. Because the Committees wish to include spina bifida with all other covered disabilities for purposes of rating the disabilities from which an eligible child may suffer, the prohibition in proposed section 1812(b)(2) has been deleted from the compromise bill. The compromise agreement is intended to ensure that children of women Vietnam veterans who suffer both from spina bifida and any other covered birth defect will have all of their disabilities considered in determining the appropriate disability rating and the amount of monetary benefits to be paid under subchapter II of chapter 18. If the only covered birth defect present is spina

bifida, the eligible child would be compensated under the spina bifida provisions of subchapter I of chapter 18.

The requirement in S. 1810 that birth defects identified by the Secretary be listed in regulations has been omitted. In drafting this legislation, the Committees considered the report of the Department of Veterans Affairs, Veterans Health Administration, Environmental Epidemiology Service, entitled "Women Vietnam Veterans Reproductive Outcomes Health Study" (October, 1998). Because this report identifies a wide variety of birth defects identified in the children of women Vietnam veterans, the Committees concluded that it was not necessary to provide a rating for each separate defect. Thus, the Committees intend that, in addition to whatever specific defects the Secretary may identify, the Secretary may also describe defects in generic terms, such as "a congenial muscular impairment resulting in the inability to stand or walk without assistive devices." Language authorizing the Secretary to take into account functional limitations when formulating a schedule for rating disabilities under the new subchapter was added to specifically allow for ratings based upon generic descriptions of functional limitations imposed by the disabilities.

The limitation contained in the Senate bill which barred assistance under the new authority to an individual who qualified for spina bifida benefits has been deleted to assure that children who suffer from spina bifida and any other covered defect may receive a monetary allowance under subchapter II and health care which takes into account the disabilities imposed by spina bifida and any other condition.

EXTENSION OF CERTAIN EXPIRING AUTHORITIES
Current Law

The following authorities expire on September 30, 2002: 1) VA's authority to verify the eligibility of recipients, of, or applicants for, VA needs-based benefits and VA means-tested medical care by gaining access to income records of the Department of Health and Human Services/Social Security Administration and the Internal Revenue Service, 2) the reduction to \$90 per month for VA pension and death pension benefits to veterans or other beneficiaries without dependents who are receiving Medicaid-covered nursing home care, 3) the Secretary's authority to charge borrowers who obtain VA-guaranteed, insured or direct home loans a "home loan" fee, and 4) procedures applicable to liquidation sales of defaulted home loans guaranteed by VA. The Secretary's (enhanced loan asset) authority to issue and guarantee securities representing an interest in home loans expires on December 31, 2002.

House Bill

Section 8 of H.R. 4268 would extend temporary authorities to 2008 that would otherwise expire on September 30, 2002, including: 1) VA income verification authority through which VA verifies the eligibility for VA needs-based benefits and VA means-tested medical care, by gaining access to income records of the Department of Health and Human Services/Social Security Administration and the Internal Revenue Service, 2) limitation on VA pension and death pension payments to beneficiaries without dependents receiving Medicaid-covered nursing home care, 3) VA-enhanced loan asset authority guaranteeing the payment of principal and interest on VA-issued certificates or other securities, VA home loan fees of $\frac{3}{4}$ of one percent of the total loan amount, and 4) procedures applicable to liquidation sales on defaulted home loans guaranteed by VA.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 402 of the compromise agreement contains the House language.

PRESERVATION OF CERTAIN REPORTING REQUIREMENTS

Current Law

The Federal Reports Elimination and Sunset Act of 1995 repealed a number of agency report requirements that Congress had imposed during the 20th century. The effect of that law, which otherwise would have taken effect last year, was temporarily suspended until May 15, 2000, by a provision in last year's omnibus appropriations act, Public Law 106-113.

House Bill

Section 10 of H.R. 4268 would reinstate the requirements that the Secretary provide periodic reports concerning equitable relief granted by the Secretary to an individual beneficiary (expires December 31, 2004); work and activities of the Department; programs and activities examined by the Advisory Committees on a) former prisoners of war (expires December 31, 2003) and b) women veterans (expires after biennial reports submitted in 2004); operation of the Montgomery GI Bill educational assistance program (expires December 31, 2004); and activities of the Secretary's special medical advisory group (expires December 31, 2004). It also requires the Secretary to include with any report that is required by law or by a joint explanatory statement of a Congressional conference committee an estimate of the cost of preparing the report.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

Section 403 of the compromise agreement contains the House language.

LEGISLATIVE PROVISIONS NOT ADOPTED

EXPANSION OF LIST OF DISEASES PRESUMED TO BE SERVICE-CONNECTED FOR RADIATION-EXPOSED VETERANS

Current Law

Section 1112(c)(2) of title 38, United States Code, lists 16 diseases which, if they become manifest in a radiation-exposed veteran at any time in his or her lifetime, would be considered to have been incurred in or aggravated during active service.

Senate Bill

Section 102 of S. 1810 would amend section 1112(c)(2) by adding lung cancer, tumors of the brain and central nervous system, and ovarian cancer to the list of diseases presumed to be service-connected if they are contracted by radiation-exposed veterans.

House Bill

The House bills contain no comparable provision.

INCREASE IN MAXIMUM AMOUNT OF HOUSING LOAN GUARANTEE

Current Law

Under section 3703(a)(1)(A)(IV) of title 38, United States Code, VA guarantees 25 percent of a home loan amount for loans of more than \$144,000, with a maximum guaranty of \$50,750. Under current mortgage loan industry practices, a loan guaranty of \$50,750 is sufficient to allow a veteran to borrow up to \$203,000 toward the purchase of a home with no down payment.

Senate Bill

Section 122 of S. 1810 would amend section 3703(a)(1) to increase the maximum amount of the VA guaranty from \$50,750 to \$63,175.

House Bill

The House bills contain no comparable provision.

TERMINATION OF COLLECTION OF LOAN FEES FROM VETERANS RATED ELIGIBLE FOR COMPENSATION AT PRE-DISCHARGE RATING EXAMINATIONS

Current Law

Section 3729(c) of title 38, United States Code, provides that a loan fee may not be collected from a veteran who is receiving disability compensation (or who, but for the receipt of retirement pay, would be entitled to receive compensation) or from a surviving spouse of any veteran who died from a service-connected disability (including a person who died in the active military, naval, or air service).

Senate Bill

Section 123 of S. 1810 would amend section 3729 to add an additional category of fee-exempt borrower; persons who have been evaluated by VA prior to discharge from military service and who are expected to qualify for a compensable service-connected disability upon discharge, but who are not yet receiving disability compensation because they are still on active duty.

House Bill

The House bills contain no comparable provision.

FAMILY COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE

Current Law

Spouses and dependent children are not eligible for any VA-administered insurance program.

Senate Bill

Section 133 of S. 1810 would create a new section 1967A within chapter 19 of title 38, United States Code. This section would provide to SGLI-insured servicemembers an opportunity to provide for coverage of their spouses and children. The amount of coverage for a spouse would be equal to the coverage of the insured servicemember, up to a maximum of \$50,000. The lives of an insured servicemembers' dependent children would be insured for \$5,000.

House Bill

The House bills contain no comparable provision.

COMPTROLLER GENERAL AUDIT OF VETERANS' EMPLOYMENT AND TRAINING SERVICE OF THE DEPARTMENT OF LABOR

Current Law

Not applicable.

Senate Bill

Section 152 of S. 1810 would require the Comptroller General of the United States to carry out a comprehensive audit of the Veterans' Employment and Training Service of the Department of Labor. The audit would commence not earlier than January 1, 2001, and would be completed not later than 1 year after enactment of this provision. Its purpose would be to provide a basis for future evaluations of the effectiveness of the Service in meeting its mission. The audit would review the requirements applicable to the Service under law, evaluate the organizational structure of the Service, and any other matters related to the Service that the Comptroller General considers appropriate.

House Bill

The House bills contain no comparable provision.

ACCELERATED PAYMENTS OF BASIC EDUCATIONAL ASSISTANCE

Current Law

Current law does not provide for accelerated educational assistance payments in VA-administered education programs.

Senate Bill

Section 9 of S. 1402 would authorize VA to make accelerated payments under the terms

of regulations that VA would promulgate to allow MGIB participants to receive a semester's, a quarter's, or a term's worth of benefits at the beginning of the semester, quarter, or term. For courses not so organized, VA could make an accelerated payment up to a limit established by VA regulation, not to exceed the cost of the course.

House Bill

The House bills contain no comparable provision.

ELIGIBILITY OF MEMBERS OF THE ARMED FORCES TO WITHDRAW ELECTIONS NOT TO RECEIVE MONTGOMERY GI BILL BASIC EDUCATIONAL ASSISTANCE

Current Law

Sections 3011(c)(1) (for active duty service of at least 3 years) and 3012(d)(1) (for active duty service of 2 years and 4 continuous years in the Selected Reserve) of title 38, United States Code, provide that any servicemember may make an election not to receive educational assistance under chapter 30 of title 38, United States Code. Any such election shall be made at the time the individual initially enters active duty. For servicemembers who elect to sign up for the Montgomery GI Bill, section 3011(b) requires a pay reduction of \$100 per month for the first 12 months of active service.

Senate Bill

Section 8 of S. 1402 would authorize servicemembers who had "opted out" of MGIB participation (by electing not to receive MGIB benefits and whose basic pay during the first 12 months of service, therefore, had not been reduced by \$100 per month for 12 months) to regain eligibility for MGIB benefits by making a \$1,500 lump sum payment.

House Bill

The House bills contain no comparable provision.

CODIFICATION OF RECURRING PROVISIONS IN ANNUAL DEPARTMENT OF VETERANS AFFAIRS APPROPRIATIONS ACTS

Current Law

Each year the Congress appropriates funds to the Department of Veterans Affairs as part of the Departments of Veterans Affairs and Housing and Urban Development, Independent Agencies Appropriations Act (VA-HUD) appropriations bill). Although the amount of the appropriations varies from year to year, the purposes for which appropriations are made are generally fixed, and change little, if any, from year to year. Because the style of appropriations language discourages normal punctuation or sentence structure, some of the "sentences" making appropriations exceed a page in length. This approach appears to make the appropriations language difficult for the average person to read.

House Bill

Section 9 of H.R. 4268 would codify recurring provisions in annual Department of Veterans Affairs Appropriations Acts.

Senate Bill

The Senate bills contain no comparable provision.

MAJOR CONSTRUCTION PROJECT AT THE BOSTON, MASSACHUSETTS HEALTH CARE SYSTEM: INTEGRATION OF THE BOSTON, WEST ROXBURY, AND BROCKTON VA MEDICAL CENTERS

Current Law

No provision.

House Bill

The House bills contain no comparable provision.

Senate Bill

The Senate bills contain no comparable provision.

Compromise Agreement

The Committees take note of concerns registered by Members of both Houses over the pace and poor planning associated with an important project in the greater Boston VA environment. The most recent information on the Boston integration indicates that a new review—by the Capital Assets Restructuring For Enhanced Services (CARES) contractor for New England—will begin soon. The Committees expect VA to complete the Boston integration plan in an expedited manner. Further, the Committees expect the VA to submit a proposal, or a major construction authorization request, to address these infrastructure needs following completion of the CARES validation of bed need in the area. The Committees support this process and look forward to the results of the analysis and any proposal VA consequently may make.

PILOT PROGRAM FOR COORDINATION OF HOSPITAL BENEFITS

Current Law

No provision.

House Bill

Section 401 of H.R. 5109 would authorize a four-site VA pilot program. Under the program, veterans with Medicare or private health coverage (and a number of indigent veterans), who rely on a VA community-based clinic, could voluntarily choose nearby community hospital care for brief episodes of medical-surgical inpatient care. The VA clinic would coordinate care and cover required copayments.

Senate Bill

The Senate bills contain no comparable provision.

UNIFICATION OF MEDICATION COPAYMENTS

Current Law

Under Section 1710(a)(2)(G) of title 38, United States Code, VA provides medical care, without imposing an obligation to make copayments for such care, to veterans who are "unable to defray the expenses of necessary care. . . ." This is determined by comparing the veteran's annual income against an income threshold that is adjusted annually. A separate provision of law, section 1722A of title 38, United States Code, mandates that VA charge a copayment for each 30-day supply of prescription medications provided to a veteran on an outpatient basis if that medication is for the treatment of a nonservice-connected condition.

Two categories of veterans are exempt from the copayment obligation: veterans who have service-connected disability ratings of 50 percent or higher, and veterans whose annual income does not exceed the maximum amount of "means tested" VA pension that would be payable if such veterans were to qualify for pension. Eligibility for pension is also determined by calculating countable income against an income threshold. This pension level is lower than the health care eligibility income threshold. As a consequence, veterans who are given priority access to VA health care and are exempted from making copayments for that health care under one measurement of their means are required to make copayments for medications under a different measurement of their means.

Senate Bill

Section 201 of S. 1810 would unify the copayment exemption thresholds at the health care eligibility income threshold.

House Bill

The House bills contain no comparable provision.

EXTENSION OF MAXIMUM TERM OF VA LEASES
TO PROVIDERS OF HOMELESS VETERANS SERVICES*Current Law*

VA's Home Loan Guaranty Program assists veterans by facilitating their purchase, construction, and improvement of homes. VA does so by encouraging private lenders to extend favorable credit terms to veterans by guaranteeing repayment of a portion of the lender-provided home loan.

In some circumstances, veterans default on mortgage loans guaranteed by VA. In such cases, the lender will foreclose, and VA, as a guarantor, may come into possession of the property. Such properties, typically, are sold to the public by VA. VA, however, has the option of leasing such properties to public and nonprofit private providers of services to homeless veterans so that such service-providers may offer shelter and other services to homeless veterans and their families. However, such leases to the providers of services to homeless veterans may not exceed 3 years in term.

Senate Bill

Section 311 of S. 1810 would extend the maximum term of VA leases to providers of services to homeless veterans from 3 to 20 years.

House Bill

The House bills contain no comparable provision.

Madam Speaker, I reserve the balance of my time.

Mr. EVANS. Madam Speaker, I yield myself such time as I may consume, and I rise in strong support of this bill's amendment. This legislation contains many important provisions, a few of which I will highlight at this time.

Among the most important is an increase in the Montgomery GI Bill basic benefit of \$650 a month. This will provide qualifying veterans more than \$23,000 to pursue their higher education goals. We are very pleased that the former chairman, the gentleman from Mississippi, Sonny Montgomery, is in the Chamber with us today. He deserves the credit for the initiation of this program and its continued support.

This is an increase of \$4200, or more than 23 percent, than the benefit available when this year began. For VA nurses, an annual pay adjustment is provided. At long last, VA nurses will now receive an annual pay adjustment like other VA employees.

I am very pleased that the measure also requires the VA to carry out a new study on Vietnam veterans and post-traumatic stress disorder. Importantly, this provision also recognizes the increased occurrence of birth defects in children born to women veterans who served in Vietnam during that war.

Madam Speaker, I particularly want to thank the chairman of the committee, the gentleman from Arizona (Mr. STUMP) not only for his leadership on this issue and the other veterans' issues being considered here today, but for his stewardship of the House Committee on Veterans' Affairs during the past 6 years. It has been a good run, and we appreciate the gentleman's strong support for the veterans of our country. We know he will be a contin-

ued fighter for their benefits and compensation.

Madam Speaker, I rise in strong support of S. 1402, the Veterans Benefits and Health Care Improvement Act of 2000. This legislation will benefit our nation's veterans, their dependents and survivors, and strongly deserves overwhelming approval by this House.

This legislation contains many noteworthy education provisions which will benefit not only those who serve in uniform, but our nation as a whole. As the author of this legislation, with my good friend, Congressman JOHN DINGELL, to provide a meaningful increase in veterans' education benefits. I strongly believe this measure is an important first step toward revitalizing one of the most successful and important programs in modern history. Under this measure, effective November 1, 2000, the Montgomery GI Bill (MGIB) basic education benefit for veterans will increase to \$650 per month for those who serve three years in the Armed Forces and to \$528 per month for a two-year period of service. For those serving three years, this increase will provide qualifying veterans more than \$23,000 to pursue their higher education goals. This is an increase of \$4200, or 23%, over the benefit available when this year began. It is a needed step in restoring the purchasing power of the Montgomery GI Bill benefit.

In addition, an increase in MGIB education benefits for eligible survivors and dependents is provided. For the first time, an annual cost-of-living increase will also be provided for educational benefits being received by eligible survivors and dependents. Under this legislation survivors' and dependents' education benefits would be increased from \$485 per month to \$588 per month for full-time students, and by lesser amounts for part-time and other types of training.

For the first time, servicemembers on active duty who are particularly determined to achieve their educational goals are provided the option to elect an enhanced MGIB. Under this provision, eligible servicemembers could elect to make voluntary contributions while still on active duty, up to a maximum additional contribution of \$600. This contribution would be in addition to the \$1,200 reduction in pay that is required of every servicemember who elects to participate in the MGIB. In return for a maximum additional contribution of \$600, the servicemember would be eligible for up to \$5,400 in additional education assistance benefits under the MGIB program.

Other important provisions provide for a uniform requirement for a high school diploma or GED before applying for MGIB benefits and the repeal of the requirement for initial obligated period of active duty as a condition of eligibility for MGIB benefits. Further, the legislation provides that up to \$2,000 in MGIB education benefits which may be used for civilian occupational licensing or certification examination fees that are necessary to enter, maintain or advance in employment. In addition, survivors and dependents who are eligible for MGIB benefits are authorized to use those benefits for preparatory courses including standardized college entrance examinations.

Veterans are not using the MGIB benefits they have earned through honorable military service. High-ability, college-bound young Americans are choosing not to serve in the Armed Forces. The significant changes in the MGIB readjustment program embodied in this

compromise agreement should help to increase program usage and enable the military service to recruit the higher ability young people they need.

Several important changes regarding burial benefits are also included in this legislation. Eligibility for burial in a VA national cemetery is provided to Filipino veterans of World War II if, at the time of death, the veteran was legally residing in the United States. In addition, full-rate funeral expenses and plot allowances to survivors of eligible Filipino veterans of World War II are authorized.

With the aging of our World War II population, an estimated 1,000 veteran burials occur each day and by the year 2008, it has been estimated that 1,700 veterans' funerals will take place each day. Importantly, this legislation includes a provision that would amend the Uniformed Services Employment and Re-employment Rights Act (USERRA) to expressly require employers to grant reservists an authorized leave of absence for performing funeral honors duty. This provision would ensure that civilian employers support both reserve component servicemembers and America's veterans to whom we all owe our gratitude and final respect.

Another significant provision of this legislation regards veterans' employment. This provision would add recently-separated servicemembers as veterans to whom affirmative action must be extended, for purposes of employment and advancement in employment, by Federal contractors and subcontractors.

For VA nurses, an annual pay adjustment is provided. At long last, a serious pay inequity affecting the largest group of employees in the VA—its nurses—is addressed and VA nurses will now receive an annual pay adjustment like other VA employees. Most experts agree that we have entered or are on the threshold of another critical nurse shortage. The current nurse workforce is aging and many nurses will retire within the next five years. At the same time, the American Nurses Association indicates that enrollment in nursing schools has dropped precipitously just as we will be attempting to address the needs of an increasingly large elderly population. Older people use far more health care services than younger people do.

In addition, nurses have had to shoulder even more responsibility as health care delivery is transformed. Nurses are continually asked to work more independently, work additional shifts, and change the manner in which they have practiced medicine to reflect current health care delivery practices, which often means updating or learning new skills. This very important nurse pay provision will correct a problem that has been demoralizing our VA nurse workforce and I thank my colleagues for supporting this provision.

Over the last five years, VA's dental workforce has literally been decimated while VA has enrolled more veterans who require their services. I want to commend the Ranking Member of our Benefits Subcommittee, BOB FILNER for recognizing this problem and for authoring legislation that served as the framework for a provision contained in this legislation. This measure will allow VA to shore up its dental staff by providing VA with the authority to extend ranges of pay for dentists who work full-time in the VA, who have special hospital-based training, and who have dedicated their careers to VA. It will help VA recruit and retain its dentists who have unique

skills in working with veterans who are often medically indigent or have experienced traumatic service-incurred injuries. These valuable personnel have learned from working with veterans, and VA should take dramatic steps to revise the damage that has been done to this workforce over the last few years.

Further, this legislation also provides VA physicians assistants long-sought representation within VA Headquarters along with better training opportunities. It will also help VA retain social workers, pharmacists and medical support personnel. These measures are crucial to sustaining a highly skilled health care staff.

This year marked the 25th anniversary of the end of the Vietnam war. I am very pleased this measure requires VA to carry out a new study on Vietnam veterans and Post-Traumatic Stress Disorder.

This legislation recognizes the increased occurrence of birth defects in children born to women veterans who served in Vietnam during the Vietnam war. Appropriately this measure provides health care, vocational rehabilitation and monetary benefits for children with birth defects attributable to the service of their mother in Vietnam. Earlier this year I introduced H.R. 4488 to provide these benefits. I am pleased S. 1402, as amended, authorizes these benefits.

Further, this measure also provides eligibility for special monthly compensation for women veterans for service-connected loss of one or both breasts.

This legislation also calls for a new focus on "military service" in assessing factors that may affect veterans' health. This "Veterans Health Initiative" is supported by many of the members of the Vietnam Veterans in Congress Caucus as well as by the Vietnam Veterans of America. Earlier this year we asked Secretary West to promote this orientation within the Department. This initiative will promote this activity by allowing VA to live up to its promise to be a system focused on the specific needs of veterans—a true veterans' health care system.

Veterans are often required to travel some distance to the nearest VA facility and are often accompanied by family or friends. For many years, VA has attempted to accommodate veterans who are not sick enough to stay in the hospital, but who may be unable to meet early appointment times with their physicians unless they stay nearby. If the veteran travels with family, the family member usually must find other accommodations. Fisher Houses are a source of lodging that have been available to servicemembers for some time. There are some Fisher Houses already accommodating veterans and their families. I am pleased this provision will authorize a regularized approach to operating them in concert with veterans' health care.

I am pleased that we are allowing VA to extend its buyout authority for two additional years. This authority will allow VA to restructure its workforce to bring in health care professionals and others with an appropriate mix of skills to contribute to the changing needs of the system. This authority is not without strings. In the health care system, VA has had to replace each worker with another professional. This has enabled VA to move appropriately skilled workers into areas where they are needed. Buyouts are greatly preferable to employees than the reductions-in-force that VA might otherwise have to employ. They are

also tailored to allow VA flexibility in updating the skills within its workforce.

Mr. Speaker, the Veterans Benefits and Health Care Improvement Act of 2000 which deserves the strong support of every member of the house, is the product of the hard work of many people. In particular I want to thank the Chairman and Ranking Democratic member of our three Veterans' Affairs Subcommittees—CLIFF STEARNS and LUIS GUTERREZ, JACK QUINN and BOB FILNER, and TERRY EVERETT and CORRINE BROWN—for their important contributions.

I also applaud the significant contributions by our colleagues BART STUPAK and DAVID MINGE. BART STUPAK authored legislation authorizing service-connected disability for diseases manifest during inactive duty for training. A provision based on his proposal is included in this legislation.

DAVID MINGE proposed legislation to increase the amount of resources an incompetent veteran with no dependents, may retain and still qualify for payment of benefits while being provided institutional care at VA's expense.

Contributions made by members of the other body, by veterans, veteran service organizations, representatives of the Administration, our House Legislative Counsel, particularly Bob Cover, and the members of our Committee staffs are also acknowledged and certainly appreciated.

Mr. Speaker, I particularly thank the Chairman of the Committee, BOB STUMP, not only for his leadership of this measure and the other veterans measures being considered today, but also for his stewardship of the Veterans Affairs Committee during the past six years.

A member of the Committee since 1979, BOB STUMP assumed the Chairmanship of our Committee at the beginning of the 104th Congress. Under current House rules, having served as Chairman during the 104th, 105th and 106th sessions of Congress, BOB is precluded from serving as Chairman of Veterans Affairs during the 107th Congress.

For the last four years I have served as the Ranking Democratic Member of the Committee. I am indebted and grateful to BOB for the courtesy and cooperation that he has extended to me and to other Democratic members of the Committee.

We have not always agreed on public policy, but our disagreements have never prevented us from working together on behalf of veterans. It has been my privilege to work with BOB to develop legislation to address the most important needs of our veterans, their dependents and survivors.

During his six-year tenure as Chairman, our Committee has enacted significant legislation. We have accomplished much and assisted and benefited many. A man of few words, BOB STUMP would rather solve problems than talk about them. Thank you, BOB. I salute you for a job well done.

Madam Speaker, I reserve the balance of my time.

Mr. STUMP. Madam Speaker, I yield such time as he may consume to the gentleman from Nevada (Mr. GIBBONS), a member of the committee.

Mr. GIBBONS. Madam Speaker, I thank the gentleman for yielding me this time, and I also want to thank him for allowing me the opportunity to

speak on this worthwhile bill. I would like to give great credit to the gentleman from Arizona (Mr. STUMP), the chairman of the committee, for his introduction of HCR-419, which is a bill that mirrors this bill and was introduced on the House side and became a very important part of our consideration in the deliberations of this bill.

Madam Speaker, I am pleased to rise in support of S. 1402, as amended, and I encourage all of my colleagues to support it as well. I wanted to highlight just a few of the benefit provisions of the bill, however, first I would like to also recognize one of our former colleagues, a great friend of America, a great friend of all veterans, the former representative from Mississippi, G. V. Sonny Montgomery, one of the distinguished gentlemen who was responsible for the GI Bill. And, of course, the bill carries his name, and rightfully so. It is a great honor for me to have the privilege to have made friends with Sonny Montgomery, and I treasure his work with veterans over all these years.

Madam Speaker, effective on November 1, this bill increases the Montgomery GI Bill benefit from \$552 per month to \$650 per month, thus helping 309,000 veterans and students immediately. Since October of 1997, Congress has increased the Montgomery GI Bill by 48 percent from \$439 to \$650 per month, and we still have more to go.

With the new buy-up provisions in this bill, current and future service members can contribute up to an additional \$600 and increase their monthly benefit over 4 years of schooling from \$650 per month to \$800 per month.

Second, effective November 1, the bill increases educational benefits for 48,000 survivors and dependents from \$485 to \$588 per month, with guaranteed COLAs in years ahead.

Third, the bill is welcome news for about 137,000 active duty service members who either previously turned down an opportunity to convert from the post-Vietnam era veterans' educational assistance program, known as VEAP, to the Montgomery GI Bill or had a zero balance in their VEAP account. For a \$2700 buy-in, these individuals will receive full Montgomery GI Bill benefits that will be valued at \$23,400 with passage of today's legislation.

Fourth, the bill will help about 25,000 service members who are discharged from military service each year who need a civilian license or certification to practice their vocation or profession. Now they will be able to use their Montgomery GI Bill benefits to pay for such examinations, which average about \$150 each. The subcommittee has been very active on this issue, and I am pleased we were able to include this provision in our final package.

Fifth, the bill provides special monthly compensation for women veterans who lose a breast as a result of service-connected disability.

Sixth, the bill makes eligible for burial in VA national cemeteries, and for

a burial plot allowance in other cemeteries, certain Philippine commonwealth army veterans of World War II.

Madam Speaker, in closing, I would like to pay tribute to the gentleman from Arizona (Mr. STUMP), chairman of the Committee on Veterans' Affairs. The gentleman from Arizona enlisted in the Navy at the age of 16 in 1943, and as a teenager and Navy corpsman, participated with the Marines in the invasion of Iwo Jima and Okinawa and the liberation of the Philippines.

The gentleman from Arizona has served on this committee for more than 17 years, and in the last 6 years was teamed first with Sonny Montgomery then with the gentleman from Illinois (Mr. EVANS) to provide the bipartisan leadership needed to get things done.

He has now completed his 6-year term as chairman using the simple credo of doing right by America's sons and daughters who have protected our priceless freedoms. We do not see BOB on the talk shows or doing media interviews, nor do we hear him trumpeting his legislative accomplishments. I suspect, Madam Speaker, that is because he would say, "That's our duty."

The gentleman from Arizona is an individual who provided selfless leadership, the kind of leadership that seems so common to his generation, a generation that repeatedly demonstrates that they are ordinary people doing extraordinary things.

I want the gentleman to know that he has my thanks and friendship, my admiration and deep respect, as well as all America's respect, especially our veterans in this country.

Mr. EVANS. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. STUMP. Madam Speaker, I yield such time as he may consume to the gentleman from California (Mr. KUYKENDALL).

(Mr. KUYKENDALL asked and was given permission to revise and extend his remarks.)

Mr. KUYKENDALL. Madam Speaker, I would like to associate myself with the remarks of the gentleman from Nevada (Mr. GIBBONS). Very eloquently done.

Having spent some time in the Marines Corps myself and then having to transition to the civilian world after an injury, I found out what it was like to use the GI Bill to get a new education. I got a master's degree in business with it. I found out what it was like to have a disability associated with the military and how one gets taken care of by the VA.

We make a promise to veterans. In many cases we promise them a very hard life and after their 3 or 4 years service, we send them back into society. The veterans that came back from World War II and Korea, with the use of the GI Bill that we had in place then, changed the world. That education program allowed hundreds of thousands of men and women to get an

education and, in turn, make this Nation's economy grow into what it is today. They laid the foundation for the economic prosperity we have today. They are now retirees in many cases and are moving on, but this was possible due to the education those veterans received.

This bill continues that process. It continues it for veterans that are currently serving and it continues it for those who are on benefits today. Education, I believe, is part of the promise we owe them. Increasing the education benefits is well deserved, and I do not think we can ever do quite enough for these young men and women.

Finally, the health care portion. We have always had veterans, but we do not always take care of them as well as we should. This goes a long way towards improving this situation. It helps us improve some of the specialists pay who are treating veterans; it helps us with our facilities, as in the case of one in my area, by making it seismically safe, so that when we have earthquakes in California, that hospital will still be able to function helping veterans.

The bill also helps veterans by helping their families, when they have passed away, to bury them where they can be with their comrades. We have created several new cemeteries in this legislation.

All of these things, I think, go down the road of continuing our promise to people who are willing to serve our Nation, whether it be for a career or only for a short time, that we will look after them after they have left that service.

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I commend S. 1402, urge its passage, and hope we implement it with the utmost speed.

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

Madam Speaker, let me once again thank the gentleman from Florida (Mr. STEARNS), the chairman of our Subcommittee on Health, who could not be here today because of a previous commitment in Florida. He has done a great job in steering this committee for the last 4 years.

I want to thank the gentleman from Nevada (Mr. GIBBONS) for his input on this bill that we are dealing with right now and thank him for his very kind remarks.

This is probably the last bill that we will bring to the floor under suspensions this year, Madam Speaker, and I would like to thank each and every member of the Committee on Veterans' Affairs on both sides of the aisle.

I especially would like to thank the gentleman from Illinois (Mr. EVANS) and his staff for the great job they have done for veterans, which just shows when we put partisan politics aside and work in the best interest of the veterans that we can accomplish many good things. I thank him very much.

I also would like to thank Senator SPECTER, the chairman of the VA on

the Senate side, as well as the ranking member, Senator ROCKEFELLER, for their work and accomplishments on this measure. This is a good bill. Our veterans deserve it.

Mr. MINGE. Madam Speaker, I rise today to support S. 1402, the Veterans and Dependents Millennium Education Act. Specifically, I would like to commend the conferees for including a modified version of my legislation, H.R. 4935.

Section 304 of the Veterans and Dependents Millennium Education Act will be a great benefit to our nation's most vulnerable veterans. Current law concerning mentally ill veterans actually discourages them from seeking the mental health services they so desperately need. If a single, mentally ill veteran is institutionalized with an estate over \$1,500, his or her estate is essentially reduced to below \$500. Upon discharge, he or she would basically have no money for housing or other needs.

Today's legislation will modernize the estate levels for institutionalized mentally ill veterans. By tying the estate levels to the service connected disability ratings, we will ensure that they will be adequate and continue to adjust with the cost of inflation. I am proud that Congress is acting to ensure that those who served our country are not forgotten in their time of need.

There are many people who worked to make this effort possible. In the tradition of veterans helping veterans, the Minnesota Veterans of Foreign Wars visited my office last Spring to inform me of this discriminatory treatment of mentally ill veterans. Former State Commander of the VFW Dave Adams and Claims Director Tom Hanson are to be especially commended for their work on this initiative. I would also like to thank Representative LANE EVANS, the Ranking Democrat on the House Veterans' Affairs Committee, for all his help in securing inclusion of this legislation. He and the Democratic staff have been incredibly helpful throughout the whole process.

I urge my colleagues to join me in supporting S. 1402.

Mr. BUYER. Madam Speaker, I rise in strong support of S. 1402, the Veterans Benefits and Health Care Improvement Act of 2000. This bill is a comprehensive package of education, health, and compensation benefits that passed the House as separate bills earlier this year. Clearly, this is another monumental step in fulfilling America's promise to its veterans and their families.

As agreed to by House and Senate negotiators, the bill will improve Montgomery GI Bill (MGIB) benefits in order to compete with the rising costs of a college education. Specifically, the bill will increase the monthly education benefit to \$650 for a total of \$23,400 in assistance to a full-time student pursuing a four-year degree. This is a tremendous boon to veterans and their families that will help in their transition back to the civilian work force after honorably and unselfishly serving their country in uniform. Veterans' survivors and dependents will receive an education stipend increase by raising the monthly benefit to \$588 per month.

In addition, the bill will provide active duty service members another chance to convert their Post-Vietnam Educational Assistance Program (VEAP) benefits to the MGIB if they

previously declined to do so or withdrew all funds from their VEAP accounts. Other provisions allow payment of education benefits during intervals lasting as long as eight weeks between academic terms and the use of up to \$2,000 of VA education benefits toward the fee for civilian licensing or certification examination.

The measure would also give annual pay raises to VA nurses and increase special pay to dentists and other VA medical personnel. This important provision will help VA to hire and retain the skilled, caring health personnel that it must have in order to serve an aging veterans' population. Last year, the Marion VA chapter, the American Federation of Government Employees Local 1020, contacted my office seeking pay parity for VA nurses. Specifically, Local 1020 asked me to help them better address manning and staffing levels that were creating patient and employee safety issues due to the lack of adequate nursing staff. It was evident that to ensure the highest quality of care for our veterans, an effort to meet these shortfalls would be required. Earlier this year, the VA Committee reported a similar nurse's pay provision to the House floor, and Local 1020 indicated their full support for the measure, and reiterated the need for nurse pay parity. Like the previously passed bill, this measure addresses their concerns.

Another provision would allow VA disability benefits for a heart attack or stroke of a reservist if incurred or aggravated while in a drilling status, as well as make women eligible for special monthly compensation for the loss of one or both breasts. It would also increase the maximum amount of coverage available through the Service Members Group Life Insurance program to \$250,000. Other provisions of the bill will require federal contractors and subcontractors to extend affirmative action regarding employment and promotions to recently discharged veterans, require employers to grant leaves of absence to employees who participate in honor guards for the funerals of veterans and provide benefits to children of women Vietnam veterans who suffer from specified birth defects.

This is great news for the veterans community, to include VA employees, especially VA nurses and VA dentists. As in the past, Congress has worked hard to ensure the United States government remains steadfast in its moral, legal and ethical obligation to provide veterans and their families the benefits and services they so richly deserve. This bill is good for veterans, it is good for their families, and it is good for America.

Finally, I would like to thank Chairman STUMP and Ranking Member EVANS for their hard work and diligence in ensuring passage of this bill. Their efforts were truly bipartisan and deserve recognition.

I urge my colleagues to support this bill.

Mr. STUPAK. Madam Speaker, I would like to commend the Chairman and Ranking Member of both the House and the Senate Veterans Affairs committees and the staff for their excellent work on S. 1402, which incorporates several very worthy bills, including mine, H.R. 3816.

My bill closes an exceptionally problematic loophole brought to my attention by the Pearce family of Traverse City, Michigan. Master Sergeant Ron Pearce was a full time employee of the National Guard who suffered

a heart attack while performing the required physical fitness test, a part of Inactive Duty Training requirements. Master Sergeant Pearce had a history of heart trouble, and in the past had been exempted from the fitness test on recommendation of his doctor. He was ordered to take this test as a condition of his continued employment with the National Guard.

He passed away as a direct result of this fitness test, leaving behind a wife and family with no means of support. The VA first approved and then denied his family benefits. My bill would consider heart attacks and strokes suffered by Guard and Reserve personnel while on "inactive duty for training," to be service-connected for the purpose of VA benefits.

Madam Speaker, I strongly support this legislation and I am happy that the loophole will be closed and more families will not have to suffer as the Pearce family has suffered. I strongly urge members to vote yes on this bill. I thank the distinguished gentleman from Arizona, the Chairman of the Veterans Committee, and the distinguished gentleman from Illinois, the Ranking Member, for their inclusion of my legislation in this bill, as well as the distinguished Chair and Ranking Member from the other body.

Mr. FILNER. Madam Speaker, as the Senior Democrat on the Benefits Subcommittee of the House Committee on Veterans Affairs, I want to express my strong support for the legislation before the House today. S. 1402 as amended by the Senate, presents an agreement that every Member of the House can support. It is a strong reaffirmation of our commitment to the men and women who have stood in our defense. Our nation's veterans would benefit greatly from this well-crafted and meaningful legislation. I urge my fellow colleagues to join me in my support for this legislation and to vote in favor of its final passage.

I want to take a moment to thank the Chairman of the Benefits Subcommittee, JACK QUINN; the Chairman of the Veterans Affairs Committee, BOB STUMP, and the Ranking Democratic Member of the Committee, LANE EVANS, for their collective leadership on the many important issues affecting our men and women in uniform. I have enjoyed working with each of them on the bill that is before the House today, and also with the other members of the Committee. I also want to thank our colleagues in the Senate for their significant efforts in this area. Senator ARLEN SPECTER and Senator JAY ROCKEFELLER, Chairman and Ranking Member of the Senate Committee on Veterans Affairs, have put forth the cooperative effort that is essential to reaching a good agreement.

Madam Speaker, I am pleased that the agreement we are considering makes some significant improvements to veterans' education benefits. Education benefits are a prime focus of this legislation. I have always been a strong believer that higher education is a positive agent of change. I came to Congress from the higher education community, and I have witnessed first hand the great things a higher education can do for our veterans. From that experience, and from my years on the Veterans Affairs Committee, I have concluded there is no better way to empower the men and women who have served in America's defense. Educating these brave men and women is undoubtedly the best way for us to ensure

they join the ranks of a thriving civilian workforce.

Under the agreement, the basic educational benefit for veterans will increase under the MGB program from \$552 per month to \$650 per month for a three-year term of enlistment and \$528 per month for a two-year term of enlistment. This represents an 18 percent increase in the basic MGB education readjustment benefit for veterans. As my colleagues know, I believe the MGB benefit should be increased more than has been proposed in this agreement. The increase it does provide, however, is a strong and positive step toward achieving the goal of providing a more meaningful education benefit for our nation's veterans than is currently available.

The agreement also provides for an increase to MGB education benefits for eligible survivors and dependents. These benefits would be increased from \$485 per month to \$588 per month for full-time students. These increases would be effective as of November 1, 2000, with future annual cost-of-living increases effective October 1, 2001. I am very pleased that the agreement provides for a cost-of-living increase for survivors and dependents. Moreover, the election period and effective date for the award of survivors' and dependents' benefits under MGB have been corrected under this agreement, allowing for retroactive payments for benefits that should have been awarded but were not, due to long waiting times for VA adjudication. Also in the agreement is a provision that would allow those veteran students whose academic calendars include long intervals between terms, semesters or quarters to continue to receive their educational assistance benefits during such periods in order to prevent financial hardship.

Of immediate concern to the Benefits Subcommittee has been the ineffectiveness of the MGB as a readjustment benefit for servicemembers making the transition from military service to a civilian society and workforce. While costs of higher education have soared, nearly doubling since 1980, GI Bill benefits have not kept pace. One of the most noteworthy provisions in this agreement would allow for an increased MGB education assistance for particularly determined active duty servicemembers. Under the agreement, servicemembers who have elected to participate in the MGB program by contributing their initial \$1,200 pay reduction would be afforded the opportunity to take advantage of enhanced MGB benefits by making an additional contribution of up to \$600. In return, that servicemember would be eligible for up to \$5,400 in additional MGB education assistance.

Thanks in large part to the leadership of my friend JACK QUINN, the Chairman of the Benefits Subcommittee, there is a provision in this legislation that would make available MGB education benefits to be used for up to \$2,000 in fees for civilian occupational licensing or certification examinations. The Subcommittee has held extensive hearings on this complex topic and I am glad to see that the agreement includes this important provision. It will make an immediate, positive impact on thousands of servicemembers who return to the civilian workforce every year. The agreement also allows survivors and dependents to use their MGB benefits for preparatory courses.

The brave men and women who serve in America's Armed Forces deserve, and have

indeed earned, far better than the inadequate educational assistant program now available to them. I am very pleased that the agreement includes such momentum toward getting veterans' education benefits back to the stature and effectiveness they were meant to have all along.

Another significant accomplishment coming out of this agreement would be to finally allow for more equitable burial benefits for our Filipino veterans of World War II. Today, an estimated 17,000 Filipino veterans are citizens of the United States. Most of these are veterans of World War II, over 1,200 of who receive VA compensation for service-connected disabilities.

Under current federal law, certain Filipino veterans of World War II are not eligible for burial in VA national cemeteries. Moreover, survivors of eligible Filipino veterans currently receive funeral expenses and burial plot allowances at one-half the rates paid to survivors of U.S. veterans.

The agreement would provide for the eligibility of certain Filipino veterans of World War II for burial in a VA national cemetery if, at the time of death, that veteran is a naturalized citizen and resident of the United States. In addition, the agreement would authorize payment of full-rate funeral expenses and plot allowances to survivors of eligible Filipino veterans of World War II.

An aging World War II veteran population has caused an unprecedented demand for military funeral honors over recent years, and this demand will continue. As the military seeks to meet these demands through its use of reservists, increasing numbers of civilian employees will be called away from their jobs temporarily to perform funeral honors duty. Importantly, the agreement includes a provision that would amend the Uniformed Services Employment and Reemployment Rights Act (USERRA) to expressly require employers to give reservists an authorized leave of absence for performing funeral honors duty.

Finally, I want to stress the importance of the agreement's provision regarding equity in pay for VA dentists. I introduced last fall H.R. 2660, which I entitled, "Put Your Money Where Your Mouth Is, the VA Dentist Equity Act," in response to a variety of concerns of VA dentists. Almost 70 percent of VA dentists will be eligible for retirement in the next three years. On top of this troubling fact, VA dentists are paid less than their DOD counterparts, dentists in academia or dentists in private practice. In fact, they make almost one-third less than dentists working in these settings. So I am very glad that the agreement includes a provision to enable VA to recruit and retain new dentists into the system now and in the future.

As amended, S. 1402 represents good public policy for America's veterans. I believe strongly that every one of my colleagues here today would do well by their veterans at home by voting in favor of this bill.

Mr. STEARNS. Madam Speaker, first, to my colleagues, I want to recognize our superb Chairman, Mr. STUMP of Arizona, who leads us today as Chairman of the full Committee on Veterans' Affairs. Mr. STUMP is a senior Member of this House and a man of honor, Madam Speaker. BOB STUMP served his country faithfully—and with distinction—in war, and has served with care and vigor as a Member and Chairman of the Veterans Committee. I am

privileged to serve with him; BOB STUMP is one of the secret treasures of this House. I salute him for his leadership on this bill, and for his dedicated service over the past six years as Chairman of our Committee on Veterans' Affairs.

Madam Speaker, the bills before us today, S. 1402, H.R. 4864, and H.R. 4850, are good bills for veterans, and they are good reflections of this House. They contain provisions that are innovative, useful, necessary, and workable—a winning combination for the veterans we serve and for the Department of Veterans Affairs that we are charged to oversee.

Madam Speaker, I want to address specifically one of our measures today, S. 1402, final passage of the Senate amendments to the House amendments to S. 1402, the "Veterans Benefits and Health Care Improvement Act of 2000." After a number of hearings, Subcommittee meetings, site visits and other data collection, I introduced, with bipartisan cosponsors, one of the predecessor bills incorporated in this measure, H.R. 5109, the "Department of Veterans Affairs Health Care Personnel Act of 2000." My Subcommittee endorsed this bill on a bipartisan basis, and our full Committee, under my Chairman's leadership, ordered the bill reported to the House on September 13, 2000. The House unanimously passed H.R. 5109 on September 21, 2000.

Let me review some of the key provisions of our health bill, H.R. 5109, that were successfully negotiated with our Senate colleagues, and are incorporated in S. 1402:

NURSES

Madam Speaker, about ten years ago, Congress created an innovative pay system for VA nurses, with a locality-based mechanism to produce pay rates that were intended to address labor market needs to keep VA competitive. The idea was that each VA hospital could act in its own self-interest, and remain competitive locally. It was intended to be a good reform, and this system initially gave VA nurses a big pay raise. VA's recruitment and retention problem for nurses effectively disappeared for awhile. But the old saying, "that was then, and this is now," comes to mind.

My subcommittee gave a special focus during this Congress to the pay situation of VA nurses. What we found was disappointing—we have learned that many VA nurses hadn't received any increases in their pay since the initial ones from our 1990 legislation.

While those first pay increases were in many cases substantial, in the course of time, other Federal employee groups had caught up because of the annual comparability pay raises available to every other Federal employee—except VA nurses. So once again VA finds itself in a competitive disadvantage, and some VA nurses are looking for other employment options. In my judgment, as Chairman of our Health Subcommittee, it is a loss that veterans cannot afford. Therefore, our bill guarantees VA nurses the statutory national comparability pay raise given to all other Federal employees.

My colleagues, these changes do not mean that Congress is declaring reform to be our enemy. We want to make certain that the earlier legislation works as the 101st Congress intended it. Therefore, in addition to the guaranteed national pay raise for nurses, the bill crafts necessary adjustments to the locality survey mechanism to ensure that data are available when needed, and to specify that

certain steps be taken, when they are necessary, that lead to appropriate salary rates for VA nurses. This is the right solution for VA nurses; it is a bipartisan compromise, and I compliment my colleague, the gentleman from Illinois, Mr. EVANS, and also another gentleman from Illinois, my good friend, Mr. GUTIERREZ, for their cooperation in getting this important matter resolved for VA nurses and for the veterans they serve.

DENTISTS

Madam Speaker, this bill addresses recommendations of VA's Quadrennial Pay Report concerning VA dentists, bringing their pay into better balance with average compensation of hospital-based dentists in the private sector. This is the first change in almost 10 years in VA dentists' special pay. I want to recognize my colleague from the State of California, Dr. BOB FILNER, for bringing his voice to this important issue for VA dentists.

CONSTRUCTION

Our bill authorizes major medical facility construction projects in Beckley, West Virginia, Palo Alto and Long Beach, California, and Miami, Florida, with a commensurate authorization of appropriations of \$120.9 million for this necessary construction. Also, we are extending a prior authorization for a long-term care project in Lebanon, Pennsylvania, and approving an authorization for a previously appropriated project for the Murfreesboro, Tennessee VA facility. These are excellent projects that have been carefully reviewed by Members of both Bodies and warrant our approval in this legislation.

PTSD

My friend, Mr. EVANS of Illinois, the Ranking Member of the full VA Committee, recently raised the profile of the need for Congress to reauthorize the landmark 1988 study of post traumatic stress disorder in Vietnam veterans. Madam Speaker, our bill reauthorizes this important study.

MILITARY SERVICE

The bill also urges, in a Sense of Congress Resolution, that VA record military service history when VA physicians and other caregivers initially take a veteran's general health history. This will aid any veteran who files a VA claim for disability, especially given our new appreciation that military and combat exposure may be associated with onset of disease in later life. I want to commend the Vietnam Veterans of America organization for bringing this proposal to the Subcommittee on Health—it is a valuable contribution to this bill.

PROPERTY MATTERS

In addition to these items, Madam Speaker, we are making some important changes in VA properties. We are transferring a number of parcels of land at VA medical centers in Georgia, Michigan, Montana, and Tennessee to state and local governments, and the private sector, for good uses. Also, we are authorizing the Secretary of Veterans Affairs to close the VA Medical Center in Ft. Lyon, Colorado, on the condition that the Secretary ensure that the veterans this facility serves now are properly treated in other facilities in the private and public sectors. Also, I want the Secretary to know that my subcommittee, on a bipartisan basis, will be carefully monitoring VA's actions in the case of Ft. Lyon. We are particularly interested in how VA will meet its statutory requirement to maintain capacity to provide long-term care, and how southern Colorado

will contribute to this obligation, following closure of the Ft. Lyon facility. In all likelihood, the Subcommittee on Health will hold hearings on this matter next year. Thus, VA needs to be aware that its actions in respect to Ft. Lyon will be closely scrutinized. Also, VA needs to ensure that employees of the Ft. Lyon facility are offered all the personnel options available to the VA for "early out" and "buy out" benefits. It is through no fault of these employees that this facility is being closed, and all our Members believe that they should be held harmless by the Government's decision to close this facility. These VA employees have served their country honorably and with dedication. This service should be recognized and treated with the respect it deserves by the Secretary as the VA moves closer to closing this longstanding institution.

Madam Speaker, our bill is endorsed by a number of organizations, including the American Legion, Veterans of Foreign Wars of the United States, Vietnam Veterans of America, Disabled American Veterans, AMVETS, PVA, BVA, the Nursing Organization of Veterans Affairs, the American Dental Association, and the largest federal union, the American Federation of Government Employees (AFGE), among others. I hope that each of my colleagues will vote for passage of this measure today, and that we can send it on to the President prior to adjournment sine die of the 106th Congress.

I want to add one personal note today. I have served as Chairman of the Subcommittee on Health for the past 4 years. It has been both an honor and an education for me, and I appreciate having been afforded an opportunity to serve in a leadership position on this Committee. I thank my Chairman, Mr. STUMP, and the Ranking Members of the full Committee, Mr. EVANS, as well as Mr. GUTIERREZ, our Ranking Member of the Subcommittee on Health, as well as other Members for supporting me as Chairman. It is important to note that these Members also exhibited the best of our traditions on the Committee on Veterans' Affairs—the traditions of Sonny Montgomery, Tiger Teague and BOB STUMP—of working together in a bipartisan manner, to honor and to help veterans. So, Madam Speaker, my chairmanship of the subcommittee has been a rewarding experience for me, and I look forward to continuing these good bipartisan relations in the new Congress in January 2001.

In conclusion, veterans of our Armed Forces need these bills, Madam Speaker. They are good bills, with effective provisions, that help veterans, and I urge my colleagues to support them so that we can continue to keep our promise to America's veterans.

Mr. EVERETT. Madam Speaker, as Chairman of the Veterans' Affairs Subcommittee on Oversight and Investigations, I rise in strong support of S. 1402 as amended, the Veterans Benefits and Health Care Improvement Act of 2000. Section 223 of this bill is derived from H. Con. Res. 413, which I introduced along with my colleague and Subcommittee Ranking Democratic Member, Ms. CORRIE BROWN. Section 223 states the Sense of the Congress that the Departments of Veterans Affairs and Defense should increase their cooperation in the procurement of medical items, including pharmaceuticals.

Ms. BROWN has taken an active role in working for increased VA/DoD sharing, and I

thank her for her cooperation. I want to express my appreciation to our full Committee Chairman, BOB STUMP, and our Ranking Democratic Member, LANE EVANS, for their leadership on this issue as well. I also want to thank Chairman ARLEN SPECTER and Senator JAY ROCKEFELLER of the Senate Veterans' Affairs Committee for agreeing to include this section in the final bill.

Under the Veterans' Administration and Department of Defense Health Resources Sharing and Emergency Operations Act, P.L. 97-174, VA and DoD have had the authority to share medical resources since 1982. In 1999, VA and DoD entered into sharing agreements amounting to \$60 million out of total combined healthcare budgets of approximately \$35 billion. This amounts to less than two-tenths of one percent of sharing. At our May 25, 2000 hearing, GAO stated that greater joint pharmaceutical procurements could lead to annual recurring savings of up to \$345 million. These savings could be reinvested in improved healthcare for veterans, military retirees, service members and their families.

I urge the VA and the Department of Defense to heed this Sense of the Congress and quickly improve their joint procurement practices to obtain the best possible prices in the pharmaceutical market. Otherwise, huge amounts of healthcare dollars will continue to be wasted as VA and DoD pay too much money for pharmaceuticals.

Madam Speaker, I strongly encourage all of my colleagues to join in bipartisan support of this important legislation to improve healthcare, education and other benefits for our Nation's veterans.

Mr. REYES. Madam Speaker, I rise in strong support of the three veterans bills that we are addressing today. As many of you know, we recently lost several service members as a result of a despicable terrorist act in Yemen. Those sailors, our service members, gave their lives . . . made the ultimate sacrifice for their country. Unfortunately, as we get caught up in our day-to-day lives we often forget that there are men and women in distant lands and dangerous situations doing a lot of heavy lifting for us and this country. Its important that we pause occasionally and remember that our freedom, our wealth and our peace of mind is the direct result of service members such as the sailors on the USS Cole. This year, there has been considerable debate and discussion about keeping promises to our veterans and their families. I think that these bills help to put an end to any doubt about our commitment to our veterans. In my district of El Paso, Texas, I represent almost seventy thousand veterans and family members. I've seen some of the procedural difficulties that veterans and their family members must endure. And, I can talk to you in great detail about how these bills will help to improve the quality of life for our veterans. In my view, this legislation is not about keeping promises or mending fences. I think of it simply as an imperative for the nation. This is legislation that this body must pass because it is the right thing to do for those who have committed so much of themselves to our country. I sincerely appreciate the work that my colleagues on both sides of the aisle put into these bills. Because of their hard work, we have three meaningful veterans bills. The Veterans Benefit Act, the Claims Assistance Act and the Veterans and Health Care Improve-

ment Act each provide important improvements or enhancements to the existing veterans programs. I urge each of you to support passage of each of these veterans bills.

Mr. GILMAN. Madam Speaker, I rise today in strong support of S. 1402, the Veterans and Dependents Millennium Education Act. I urge my colleagues to join in supporting this worthwhile legislation.

S. 1402 incorporates a number of important bills which were addressed and passed by the house earlier this year. These include increasing the monthly benefit in the Montgomery G.I. bill, increasing the monthly amount of the basic education allowance for survivors and dependents, specific improvements in the pay and benefits for nurses and pharmacists at V.A. health care facilities, and a number of extensions of reauthorizations for various programs relating to V.A. loans through 2008.

S. 1402 also contains a provision extending burial benefits to those Filipino World War II veterans, who either reside in the United States, or who have become citizens or applied for permanent residence. As a long-time champion of the Filipino World War II veterans, I was pleased to see that provision included in this measure.

Mr. Speaker, I urge my colleagues to support this timely, appropriate legislation.

Mr. WATTS of Oklahoma. Madam Speaker, I rise today in support of The Veterans Benefits and Health Care Improvement Act of 2000. This legislation increases the rates of educational assistance under the Montgomery GI Bill and improves the pay rates for many health care professionals employed by the Department of Veterans Affairs. Also, it makes other needed improvements in veterans educational assistance, health care, and benefits programs. This act is a major effort by Congress to assist our veterans and to keep faith with those who have served.

Under the provisions of this bill the basic benefit by the Montgomery GI Bill will increase to \$650 per month for a three-year period of military service and \$528 per month for a two-year period of service. It will increase the basic educational allowance for survivors and dependents of eligible veterans to \$588 per month, and will significantly increase the flexibility for survivors and dependents in taking advantage of their educational benefits.

Particularly important in this bill is the effort to address the looming nurse shortage within the Veteran Administration. A number of steps have been taken to insure VA nurses are paid adequately and competitively with their counterparts in the private sector. Also, provisions addressing paid and professional status for dentists, pharmacists, physician assistants and social workers have been included.

Other important items in S. 1402 include the authorization of \$120.9 million in fiscal year 2001 or 2002 for major construction and increasing the maximum amount of coverage available through the Servicemembers' Group Life Insurance program and the Veterans' Group Life Insurance program for \$200,000 to \$250,000. There are improvements in Housing and Employment Programs, Cemeteries and Memorial Affairs Program, and in the VA Compensation Program.

I fully support this important bill because our nation's treatment of it's veterans will impact upon our ability to attract Americans to military service. Our veterans must receive fair treatment in a timely manner. If we do not keep

faith with our veterans—we will jeopardize the national security of the nation.

Mr. DINGELL. Madam Speaker, I rise in support of the measure before us, S. 1402, the Veterans Benefits and Health Care Improvement Act. I would like to thank the work of Chairman BOB STUMP, Representative LANE EVANS, as well as their staffs for bringing this legislation to the floor. I'd also like to thank Chairman SPECTER and Senator ROCKEFELLER for their assistance.

In addition to many of the beneficial provisions in this bill, such as a badly needed increase in the basic Montgomery G.I. Bill benefit, S. 1402 includes language of considerable importance to the citizens and veterans of Southeast Michigan.

For sixty years, the veterans' hospital in Allen Park, Michigan provided quality health care to those who answered our nation's call to arms. In the 1930's, this 39-acre property was given to the VA as a gift from the Henry Ford family. The deed that turned the property over to the VA, however, included a reversionary clause that spelled out that if the VA no longer used the property, the land would revert back to the Ford family.

The VA operated a fully functional hospital on the Allen Park site until 1996, at which time a new VA hospital was opened in nearby Detroit. This new state-of-the-art hospital, which I am deeply honored is named the John D. Dingell VA Hospital, provides quality health care for the veterans of Southeast Michigan despite recent budgetary shortfalls which required the hospital to make unspecified efficiency cuts, usually resulting in staff cuts.

At the time the decision was made to build a new hospital in Southeast Michigan in 1986, the VA envisioned converting the old Allen Park facility into a long-term care facility, creating a dual campus arrangement with Detroit. The dual campus plan, however, was abandoned because the Allen Park facility was no longer needed to meet veterans' needs in the area. Just to be certain, at the request of myself and my colleague Representative JOE KNOLLENBERG, the VA conducted a study to determine whether the Allen Park facility, or the campus, was needed to meet area veterans' health care needs today or in the future. The VA found that not only was Allen Park no longer needed, but that two floors at the new hospital were currently vacant. The General Accounting Office verified the accuracy of the VA study.

Currently, the Allen Park campus consists of perhaps 15 buildings, and is closed with the exception of a small corner of the old main hospital building, which is used as a part-time outpatient care clinic. Few veterans use Allen Park except to catch the VA bus to the Detroit facility. The VA operates this clinic only to keep an official VA presence on the campus, because if it failed to have a presence, the land would revert to the Ford family and the VA would immediately be responsible for paying enormous cleanup costs before the reversion could occur. These costs would have to be absorbed by the VA, and no doubt would eat up a significant chunk of the annual VA budget.

Today, it costs the VA between \$500,000 to \$1,000,000, probably more, just to maintain the Allen Park clinic and campus, which fails to offer most health services, is in shabby condition and filled with asbestos. This money comes out of the budget intended specifically

for VA health care in VISN 11. It is money poorly spent, which undermines the already cash strapped regional VA health care budget. It makes the veterans' health care system in Southeast Michigan worse.

Given that the VA's Allen Park facility is no longer needed, the Ford Land Management Company would like to develop the Allen Park property. The VA would like to abandon it. Additionally, the City of Allen Park has long sought to see the VA campus developed and have the land placed on city tax rolls.

This summer the VA conducted an environmental impact study and estimated cleanup costs. VA and Ford officials concluded that it would cost at least \$21.3 million to clean up the site. Ford officials have offered to pay for all cleanup costs after \$14 million, saving taxpayers at least \$7.3 million. Ford will also spare taxpayers' money because it will store the demolished materials in a nearby storage facility. No appropriation earmark will be required now or in the future. The VA will be spared having to fund a one-time, \$21.3 million major construction project simply to demolish an obsolete building. Additionally, the VA will be able to use the \$500,000 to \$1,000,000 spent each year at Allen Park to better the veterans' health care system in Southeast Michigan. Finally, I am pleased that the Allen Park agreement also requires a flagpole and a plaque be maintained at the site in honor of the service of our veterans.

Madam Speaker, the Allen Park provision of this bill is a good deal for veterans, a good deal for taxpayers, and a good deal for Allen Park. I urge my colleagues to pass this bill.

Mr. STUMP. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. MORELLA). The question is on the motion offered by the gentleman from Arizona (Mr. STUMP) that the House suspend the rules and concur in the Senate amendments to the House amendments to the Senate bill, S. 1402.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendments to the House amendments to the Senate bill were concurred in.

A motion to reconsider was laid on the table.

TECHNOLOGY TRANSFER COMMERCIALIZATION ACT

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 209) to improve the ability of Federal agencies to license federally owned inventions.

The Clerk read as follows:

Senate amendment:

Page 21, after line 2, insert:

SEC. 11. TECHNOLOGY PARTNERSHIPS OMBUDSMAN.

(a) APPOINTMENT OF OMBUDSMAN.—The Secretary of Energy shall direct the director of each national laboratory of the Department of Energy, and may direct the director of each facility under the jurisdiction of the Department of Energy, to appoint a technology partnership ombudsman to hear and help resolve complaints from outside organizations regarding the policies and actions of each such laboratory or fa-

cility with respect to technology partnerships (including cooperative research and development agreements), patents, and technology licensing.

(b) QUALIFICATIONS.—An ombudsman appointed under subsection (a) shall be a senior official of the national laboratory or facility who is not involved in day-to-day technology partnerships, patents, or technology licensing, or, if appointed from outside the laboratory or facility, function as such a senior official.

(c) DUTIES.—Each ombudsman appointed under subsection (a) shall—

(1) serve as the focal point for assisting the public and industry in resolving complaints and disputes with the national laboratory or facility regarding technology partnerships, patents, and technology licensing;

(2) promote the use of collaborative alternative dispute resolution techniques such as mediation to facilitate the speedy and low-cost resolution of complaints and disputes, when appropriate; and

(3) report quarterly on the number and nature of complaints and disputes raised, along with the ombudsman's assessment of their resolution, consistent with the protection of confidential and sensitive information, to—

(A) the Secretary;

(B) the Administrator for Nuclear Security;

(C) the Director of the Office of Dispute Resolution of the Department of Energy; and

(D) the employees of the Department responsible for the administration of the contract for the operation of each national laboratory or facility that is a subject of the report, for consideration in the administration and review of that contract.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Tennessee (Mr. GORDON) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 209.

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

There was no objection.

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

Madam Speaker, H.R. 209 continues the Committee on Science's long and rich history of advancing technology transfer to help boost United States international competitiveness.

Through the enactment of the Stevenson-Wydler Technology Innovation Act of 1980, the Federal Technology Transfer Act of 1988, and the National Technology Transfer and Advancement Act of 1995, Congress, by the direction of the Committee on Science, has created the framework to promote the government-to-industry transfer of technology that has enhanced our Nation's ability to compete in the global marketplace.

H.R. 209, which originally passed the House in May of last year, continues this tradition.

Last week, the Senate agreed to H.R. 209 and added a new section to the bill that directs the director of each Department of Energy laboratory to appoint an ombudsman to hear and help