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# U.S. House of Representatives

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ONE HUNDRED EIGHTH CONGRESS

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## VETERANS BENEFITS ACT OF 2003

### H.R. 2297, AS AMENDED

**TITLE: To amend title 38, United States Code, to improve benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.**

**H.R. 2297, as amended, would:**

#### **Title I—Survivor Benefits**

1. Provide that remarriage of the surviving spouse of a veteran after attaining age 57 would not result in termination of dependency and indemnity compensation (DIC), home loan, or education benefits eligibility.
2. Expand benefits eligibility to those children with spina bifida who were born to Vietnam-era veterans who served in an area of Korea near the demilitarized zone between September 1, 1967 and August 31, 1971.
3. Permit VA to make payment proceeds from National Service Life Insurance and United States Government Life Insurance policies to alternate beneficiaries should a primary beneficiary not be located.
4. Repeal current law restricting a surviving spouse or dependent children to receiving no more than two years of accrued benefits if the veteran dies while a claim for VA periodic monetary benefits is being processed.

#### **Title II—Benefits for Former Prisoners of War and Filipino Veterans**

1. Add cirrhosis of the liver to the list of presumed service-connected disabilities for former prisoners of war, and eliminate the requirement that a POW be held for 30 days or more to qualify for presumptions of service-connection for certain disabilities: psychosis, any of the anxiety states, dysthymic disorder, organic residuals of frostbite, and post-traumatic osteoarthritis.
2. Provide the full amount of compensation and DIC to eligible members of the new Philippine Scouts, as well as the full amount of DIC paid by reason of service in the organized military forces of the Commonwealth of the Philippines, including organized guerilla units, if the individual to whom the benefit is payable resides in the United States and is either a citizen of the U.S. or an alien lawfully admitted for permanent residence.
3. Extend eligibility for burial in a national cemetery to new Philippine Scouts, as well as eligibility for VA burial benefits, to those who lawfully reside in the United States.
4. Extend the authority of the Secretary of Veterans Affairs to maintain a regional office in Manila, Philippines, through December 31, 2009.

#### **Title III—Education Benefits, Employment Provisions, and Related Matters**

1. Expand the Montgomery GI Bill program by authorizing educational assistance for on-job training in certain self-employment training programs.
2. Increase monthly educational benefits for spouses and dependent children of veterans who have permanent and total disabilities or who have died as a result of service-related causes to \$788 for full-time study, \$592 for three-quarter time study, and \$394 for half-time study.

3. Extend the delimiting date for survivors' and dependents' education benefits when the eligible individual is involuntarily ordered to full-time National Guard duty under title 32, United States Code.
4. Round down to the nearest dollar the annual cost-of-living adjustments to educational assistance benefits.
5. Authorize the use of VA education benefits to pay for non-degree/non-credit entrepreneurship courses at approved institutions.
6. Repeal VA's education loan program authorization.
7. Extend the Veterans' Advisory Committee on Education through December 31, 2009.
8. Furnish federal agencies discretionary authority to create "sole-source" contracts for disabled veteran-owned small businesses—up to \$5 million for manufacturing contract awards and up to \$3 million for non-manufacturing contract awards.
9. Furnish federal agencies discretionary authority to restrict certain contracts to disabled veteran-owned small businesses if at least two such concerns are qualified to bid on the contract.
10. Mandate that the Department of Labor place staff in veterans' assistance offices at overseas military installations 90 days after date of enactment.

#### **Title IV — Housing Benefits and Related Matters**

1. Extend VA's specially adapted housing grant to severely disabled servicemembers prior to separation from active duty service.
2. Increase the specially adapted automobile grant from \$9,000 to \$11,000, and increase the specially adapted housing grants from \$48,000 to \$50,000 for the most severely disabled veterans and from \$9,250 to \$10,000 for less severely disabled veterans.
3. Make permanent the VA home loan program for members of the Selected Reserve.
4. Reinstate the Department of Veterans Affairs' vendee loan program.
5. Adjust the funding fee charged to Selected Reserve home loan applications and make certain increases in home loan fees.
6. Extend for one year the procedures on liquidation sales of defaulted home loans guaranteed by the Department of Veterans Affairs.

#### **Title V — Burial Benefits**

1. Permit states to receive burial plot allowances for burial of all eligible veterans.
2. Allow a remarried surviving spouse to retain eligibility for burial in a national cemetery based on the prior marriage to a deceased veteran.
3. Make permanent the State Cemetery Grants Program.

#### **Title VI — Exposure to Hazardous Substances**

1. Require independent oversight of the Department of Defense radiation dose reconstruction program.
2. Require an independent study on the disposition of the Air Force Health Study on "Operation Ranch Hand" veterans.
3. Authorize funding of medical follow-up agency of Institute of Medicine of National Academy of Sciences for epidemiological research on members of the Armed Forces and veterans.

#### **Title VII — Other Matters**

1. Make clarifying amendments relating to the Veterans' Claims Assistance Act.
2. Clarify the current prohibition on the assignment of veterans' benefits.
3. Extend for six years the Advisory Committee on Minority Veterans.
4. Authorize a nationwide, five-year contract medical examination pilot program.
5. Expand the list of serious federal criminal offenses a conviction of which would result in a bar to all VA benefits.
6. Extend for two years the requirement to round down to the nearest dollar compensation cost-of-living adjustments.

**COST: CBO estimates that enacting this legislation would****EFFECTIVE DATE: Date of enactment except the following sections:**

Sec. 101: Subsections (a) and (b) shall take effect on January 1, 2004; no benefit may be paid prior to that date. Those surviving spouses who remarried after attaining age 57 but prior to the date of enactment have one year to apply for reinstatement.

Sec. 103: Subsections (a) and (b) shall take effect on October 1, 2004.

Sec. 104: Shall apply with respect to deaths occurring on or after date of enactment.

Sec. 211: Shall apply to benefits paid for months beginning after date of enactment.

Sec. 212: Shall apply to deaths occurring on or after date of enactment.

Sec. 301: Shall take effect on the date that is six months after date of enactment and shall apply to self-employment on-job training approved and pursued on or after that date.

Sec. 302: Shall take effect on July 1, 2004, and shall apply with respect to educational assistance allowances payable under chapter 35 and section 3687(b)(2) of title 38, United States Code, for months beginning on or after that date.

Sec. 303: September 11, 2001.

Sec. 305: Shall apply to courses approved by State approving agencies after date of enactment.

Sec. 306: Subsection (d) shall take effect on date of enactment. Subsections (e), (f), and (g) shall take effect 90 days after date of enactment.

Sec. 309: Amendment made by paragraph (1) shall apply with respect to offices established after date of enactment. Section 309(b) shall take effect not later than 90 days after date of enactment.

Sec. 402: Shall apply with respect to assistance furnished on or after date of enactment.

Sec. 405: January 1, 2004.

Sec. 502: Shall apply with respect to deaths occurring on or after January 1, 2000.

Sec. 701: Shall take effect as if enacted on November 9, 2000, immediately after the enactment of the Veterans Claims Assistance Act of 2000 (P.L. 106-475; 114 Stat. 2096).

Sec. 705: Shall apply to claims filed after date of enactment.

**LEGISLATIVE HISTORY:**

June 26, 2003: H.R. 2297 ordered reported amended favorably the Committee on Veterans' Affairs.

July 15, 2003: H.R. 2297 reported amended by the Committee on Veteran's Affairs. H. Rept. 108-211.

Oct. 8, 2003: Passed the House amended under suspension by vote of 399-0 (Roll No. 536).

Oct. 14, 2003: Referred to the Senate Committee on Veterans' Affairs.

Nov. 19, 2003: Passed the Senate with an amendment by unanimous consent.