

VETERANS' BENEFITS ENHANCEMENT ACT—MOTION TO PROCEED—Resumed

The PRESIDING OFFICER. Under the previous order, the motion to proceed to S. 1315 is agreed to.

DeMint
Dole
Domenici
Ensign
Enzi
Graham
Grassley
Gregg
Hatch

Hutchison
Inhofe
Isakson
Kyl
Lugar
Martinez
McConnell
Murkowski
Reid

Roberts
Sessions
Shelby
Stevens
Thune
Vitter
Voinovich
Warner
Wicker

NOT VOTING—2

Hagel
McCain

LILLY LEDBETTER FAIR PAY ACT OF 2007—MOTION TO PROCEED—Continued

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 325, H.R. 2831, the Fair Pay Act.

Harry Reid, Daniel K. Inouye, Barbara Boxer, Patty Murray, Byron L. Dorgan, Edward M. Kennedy, Christopher J. Dodd, Daniel K. Akaka, Benjamin L. Cardin, Patrick J. Leahy, Bernard Sanders, Sherrod Brown, Amy Klobuchar, Richard Durbin, Ken Salazar, Sheldon Whitehouse, Max Baucus.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 2831, the Fair Pay Act, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Nebraska (Mr. HAGEL) and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 56, nays 42, as follows:

[Rollcall Vote No. 110 Leg.]

YEAS—56

Akaka	Feingold	Nelson (FL)
Baucus	Feinstein	Nelson (NE)
Bayh	Harkin	Obama
Biden	Inouye	Pryor
Bingaman	Johnson	Reed
Boxer	Kennedy	Rockefeller
Brown	Kerry	Salazar
Byrd	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Smith
Carper	Lautenberg	Snowe
Casey	Leahy	Specter
Clinton	Levin	Stabenow
Coleman	Lieberman	Sununu
Collins	Lincoln	Tester
Conrad	McCaskill	Webb
Dodd	Menendez	Whitehouse
Dorgan	Mikulski	Murray
Durbin	Murray	Wyden

NAYS—42

Alexander	Brownback	Cochran
Allard	Bunning	Corker
Barrasso	Burr	Cornyn
Bennett	Chambless	Craig
Bond	Coburn	Crapo

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 42. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

Mr. REID. Madam President, I move to reconsider the vote by which cloture was not invoked on the motion to proceed to H.R. 2831.

Mr. REID. Madam President, we are within minutes of working out something to complete tomorrow's work. There will be no more votes tonight. We should have several votes tomorrow. Probably, if things work out right, we will have three votes tomorrow. We should finish before 2:30 tomorrow afternoon.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Madam President, I am deeply disappointed we were not able to get the required 60 votes. With the majority leader's vote, we would have had 57 votes—57 votes. There is virtually unanimous opposition on the other side of the aisle to restore what had been fairness and decency and equity in our fair pay laws.

I think most of us who have been around this institution for some time and who have been involved in the civil rights issue understand if you don't have a remedy, you don't have a right. This debate was about restoring a right to Lilly Ledbetter, her right to be treated fairly in the workplace and the rights of millions of others too. Those who are disabled, elderly, people in our society of various national origins, those of particular religious faiths, and women all are threatened by the underlying Supreme Court decision. That has to be altered. It has to be changed.

I welcome the fact that our majority leader has sent a powerful signal by indicating that we will come back and revisit this issue. This issue is about fairness. It is about equity. If we are going to permit discrimination in the workplace, we shouldn't permit it to pay, and the best way to make sure it does not pay is to provide the remedy to ensure it will not.

This is an early skirmish in this battle toward true fairness and equity and equitable pay for women and all others in our society. I look forward to working with our colleagues in the ongoing battle. I am very hopeful and optimistic that the next time we will get the votes that are necessary to permit us to take final action on this legislation.

Again, I thank the majority leader for his addressing this issue and for his willingness to bring this back to the

floor so we can have further debate and discussion on it.

And I would like to thank my staff—Charlotte Burrows, Sharon Block, and Portia Wu, who worked very hard on this important legislation. I would also like to thank Michael Myers, Scott Fay, and Kate Dowling from my staff for all of their help.

VETERANS' BENEFITS ENHANCEMENT ACT OF 2007

The PRESIDING OFFICER. The clerk will report the pending business.

The legislative clerk read as follows:

A bill (S. 1315) to amend Title 38, United States Code, to enhance life insurance benefits for disabled veterans, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Veterans' Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Veterans' Benefits Enhancement Act of 2007".

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

Sec. 1. Short title; table of contents.

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

TITLE I—INSURANCE MATTERS

Sec. 101. Level-premium term life insurance for veterans with service-connected disabilities.

Sec. 102. Administrative costs of service disabled veterans' insurance.

Sec. 103. Modification of servicemembers' group life insurance coverage.

Sec. 104. Supplemental insurance for totally disabled veterans.

Sec. 105. Expansion of individuals qualifying for retroactive benefits from traumatic injury protection coverage under Servicemembers' Group Life Insurance.

Sec. 106. Consideration of loss dominant hand in prescription of schedule of severity of traumatic injury under Servicemembers' Group Life Insurance.

Sec. 107. Designation of fiduciary for traumatic injury protection coverage under Servicemembers' Group Life Insurance in case of lost mental capacity or extended loss of consciousness.

Sec. 108. Enhancement of veterans' mortgage life insurance.

TITLE II—HOUSING MATTERS

Sec. 201. Home improvements and structural alterations for totally disabled members of the Armed Forces before discharge or release from the Armed Forces.

Sec. 202. Eligibility for specially adapted housing benefits and assistance for members of the Armed Forces with service-connected disabilities and individuals residing outside the United States.

Sec. 203. Specially adapted housing assistance for individuals with severe burn injuries.

Sec. 204. Extension of assistance for individuals residing temporarily in housing owned by a family member.

Sec. 205. Supplemental specially adapted housing benefits for disabled veterans.

Sec. 206. Report on specially adapted housing for disabled individuals.

Sec. 207. Report on specially adapted housing assistance for individuals who reside in housing owned by a family member on permanent basis.

TITLE III—LABOR AND EDUCATION MATTERS

- Sec. 301. Coordination of approval activities in the administration of education benefits.
- Sec. 302. Modification of rate of reimbursement of State and local agencies administering veterans education benefits.
- Sec. 303. Waiver of residency requirement for Directors for Veterans' Employment and Training.
- Sec. 304. Modification of special unemployment study to cover veterans of Post 9/11 Global Operations.
- Sec. 305. Extension of increase in benefit for individuals pursuing apprenticeship or on-job training.

TITLE IV—FILIPINO WORLD WAR II VETERANS MATTERS

- Sec. 401. Expansion of eligibility for benefits provided by Department of Veterans Affairs for certain service in the organized military forces of the Commonwealth of the Philippines and the Philippine Scouts.
- Sec. 402. Eligibility of children of certain Philippine veterans for educational assistance.

TITLE V—COURT MATTERS

- Sec. 501. Recall of retired judges of the United States Court of Appeals for Veterans Claims.
- Sec. 502. Additional discretion in imposition of practice and registration fees.
- Sec. 503. Annual reports on workload of United States Court of Appeals for Veterans Claims.
- Sec. 504. Report on expansion of facilities for United States Court of Appeals for Veterans Claims.

TITLE VI—COMPENSATION AND PENSION MATTERS

- Sec. 601. Addition of osteoporosis to disabilities presumed to be service-connected in former prisoners of war with post-traumatic stress disorder.
- Sec. 602. Cost-of-living increase for temporary dependency and indemnity compensation payable for surviving spouses with dependent children under the age of 18.
- Sec. 603. Clarification of eligibility of veterans 65 years of age or older for service pension for a period of war.

TITLE VII—BURIAL AND MEMORIAL MATTERS

- Sec. 701. Supplemental benefits for veterans for funeral and burial expenses.
- Sec. 702. Supplemental plot allowances.

TITLE VIII—OTHER MATTERS

- Sec. 801. Eligibility of disabled veterans and members of the Armed Forces with severe burn injuries for automobiles and adaptive equipment.
- Sec. 802. Supplemental assistance for providing automobiles or other conveyances to certain disabled veterans.
- Sec. 803. Clarification of purpose of the outreach services program of the Department of Veterans Affairs.
- Sec. 804. Termination or suspension of contracts for cellular telephone service for servicemembers undergoing deployment outside the United States.
- Sec. 805. Maintenance, management, and availability for research of assets of Air Force Health Study.

- Sec. 806. National Academies study on risk of developing multiple sclerosis as a result of certain service in the Persian Gulf War and Post 9/11 Global Operations theaters.
- Sec. 807. Comptroller General report on adequacy of dependency and indemnity compensation to maintain survivors of veterans who die from service-connected disabilities.

SEC. 2. REFERENCE 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—INSURANCE MATTERS

SEC. 101. LEVEL-PREMIUM TERM LIFE INSURANCE FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES.

(a) IN GENERAL.—Chapter 19 is amended by inserting after section 1922A the following new section:

“§ 1922B. Level-premium term life insurance for veterans with service-connected disabilities

“(a) IN GENERAL.—In accordance with the provisions of this section, the Secretary shall grant insurance to each eligible veteran who seeks such insurance against the death of such veteran occurring while such insurance is in force.

“(b) ELIGIBLE VETERANS.—For purposes of this section, an eligible veteran is any veteran less than 65 years of age who has a service-connected disability.

“(c) AMOUNT OF INSURANCE.—(1) Subject to paragraph (2), the amount of insurance granted an eligible veteran under this section shall be \$50,000 or such lesser amount as the veteran shall elect. The amount of insurance so elected shall be evenly divisible by \$10,000.

“(2) The aggregate amount of insurance of an eligible veteran under this section, section 1922 of this title, and section 1922A of this title may not exceed \$50,000.

“(d) REDUCED AMOUNT FOR VETERANS AGE 70 OR OLDER.—In the case of a veteran insured under this section who turns age 70, the amount of insurance of such veteran under this section after the date such veteran turns age 70 shall be the amount equal to 20 percent of the amount of insurance of the veteran under this section as of the day before such date.

“(e) PREMIUMS.—(1) Premium rates for insurance under this section shall be based on the 2001 Commissioners Standard Ordinary Basic Table of Mortality and interest at the rate of 4.5 per centum per annum.

“(2) The amount of the premium charged a veteran for insurance under this section may not increase while such insurance is in force for such veteran.

“(3) The Secretary may not charge a premium for insurance under this section for a veteran as follows:

“(A) A veteran who has a service-connected disability rated as total and is eligible for a waiver of premiums under section 1912 of this title.

“(B) A veteran who is 70 years of age or older.

“(4) Insurance granted under this section shall be on a nonparticipating basis and all premiums and other collections therefor shall be credited directly to a revolving fund in the Treasury of the United States, and any payments on such insurance shall be made directly from such fund. Appropriations to such fund are hereby authorized.

“(5) Administrative costs to the Government for the costs of the program of insurance under this section shall be paid from premiums credited to the fund under paragraph (4), and payments for claims against the fund under paragraph (4) for amounts in excess of amounts cred-

ited to such fund under that paragraph (after such administrative costs have been paid) shall be paid from appropriations to the fund.

“(f) APPLICATION REQUIRED.—An eligible veteran seeking insurance under this section shall file with the Secretary an application therefor. Such application shall be filed not later than the earlier of—

“(1) the end of the two-year period beginning on the date on which the Secretary notifies the veteran that the veteran has a service-connected disability; and

“(2) the end of the 10-year period beginning on the date of the separation of the veteran from the Armed Forces, whichever is earlier.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 19 is amended by inserting after the item related to section 1922A the following new item:

“1922B. Level-premium term life insurance for veterans with service-connected disabilities.”.

(c) EXCHANGE OF SERVICE DISABLED VETERANS' INSURANCE.—During the one-year period beginning on the effective date of this section under subsection (d), any veteran insured under section 1922 of title 38, United States Code, who is eligible for insurance under section 1922B of such title (as added by subsection (a)), may exchange insurance coverage under such section 1922 for insurance coverage under such section 1922B.

(d) EFFECTIVE DATE.—This section, and the amendments made by this section, shall take effect on June 1, 2008.

SEC. 102. ADMINISTRATIVE COSTS OF SERVICE DISABLED VETERANS' INSURANCE.

Section 1922(a) is amended by striking “directly from such fund” and inserting “directly from such fund; and (5) administrative costs to the Government for the costs of the program of insurance under this section shall be paid from premiums credited to the fund under paragraph (4), and payments for claims against the fund under paragraph (4) for amounts in excess of amounts credited to such fund under that paragraph (after such administrative costs have been paid) shall be paid from appropriations to the fund”.

SEC. 103. MODIFICATION OF SERVICEMEMBERS' GROUP LIFE INSURANCE COVERAGE.

(a) EXPANSION OF SERVICEMEMBERS' GROUP LIFE INSURANCE TO INCLUDE CERTAIN MEMBERS OF INDIVIDUAL READY RESERVE.—

(1) IN GENERAL.—Paragraph (1)(C) of section 1967(a) is amended by striking “section 1965(5)(B) of this title” and inserting “subparagraph (B) or (C) of section 1965(5) of this title”.

(2) CONFORMING AMENDMENT.—Paragraph (5)(C) of such section 1967(a) is amended by striking “section 1965(5)(B) of this title” and inserting “subparagraph (B) or (C) of section 1965(5) of this title”.

(b) REDUCTION IN PERIOD OF COVERAGE FOR DEPENDENTS AFTER MEMBER SEPARATES.—Section 1968(a)(5)(B)(ii) is amended by striking “120 days after”.

SEC. 104. SUPPLEMENTAL INSURANCE FOR TOTALLY DISABLED VETERANS.

(a) IN GENERAL.—Section 1922A(a) is amended by striking “\$20,000” and inserting “\$30,000”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2008.

SEC. 105. EXPANSION OF INDIVIDUALS QUALIFYING FOR RETROACTIVE BENEFITS FROM TRAUMATIC INJURY PROTECTION COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.

(a) IN GENERAL.—Paragraph (1) of section 501(b) of the Veterans' Housing Opportunity and Benefits Improvement Act of 2006 (Public Law 109-233; 120 Stat. 414; 38 U.S.C. 1980A note) is amended by striking “, if, as determined by the Secretary concerned, that loss was a direct result of a traumatic injury incurred in the theater of operations for Operation Enduring Freedom or Operation Iraqi Freedom”.

(b) CONFORMING AMENDMENT.—The heading of such section is amended by striking “IN OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2008.

SEC. 106. CONSIDERATION OF LOSS DOMINANT HAND IN PRESCRIPTION OF SCHEDULE OF SEVERITY OF TRAUMATIC INJURY UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.

(a) IN GENERAL.—Section 1980A(d) is amended—

(1) by striking “Payments under” and inserting “(1) Payments under”; and

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

“(2) As the Secretary considers appropriate, the schedule required by paragraph (1) may distinguish in specifying payments for qualifying losses between the severity of a qualifying loss of a dominant hand and a qualifying loss of a non-dominant hand.”.

(b) PAYMENTS FOR QUALIFYING LOSSES INCURRED BEFORE DATE OF ENACTMENT.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall prescribe in regulations mechanisms for payments under section 1980A of title 38, United States Code, for qualifying losses incurred before the date of the enactment of this Act by reason of the requirements of paragraph (2) of subsection (d) of such section (as amended by subsection (a)(2) of this section).

(2) QUALIFYING LOSS DEFINED.—In this subsection, the term “qualifying loss” means—

(A) a loss specified in the second sentence of subsection (b)(1) of section 1980A of title 38, United States Code; and

(B) any other loss specified by the Secretary of Veterans Affairs pursuant to the first sentence of that subsection.

SEC. 107. DESIGNATION OF FIDUCIARY FOR TRAUMATIC INJURY PROTECTION COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE IN CASE OF LOST MENTAL CAPACITY OR EXTENDED LOSS OF CONSCIOUSNESS.

(a) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, develop a form for the designation of a recipient for the funds distributed under section 1980A of title 38, United States Code, as the fiduciary of a member of the Armed Forces in cases where the member is mentally incapacitated (as determined by the Secretary of Defense in consultation with the Secretary of Veterans Affairs) or experiencing an extended loss of consciousness.

(b) ELEMENTS.—The form under subsection (a) shall require that a member may elect that—

(1) an individual designated by the member be the recipient as the fiduciary of the member; or

(2) a court of proper jurisdiction determine the recipient as the fiduciary of the member for purposes of this subsection.

(c) COMPLETION AND UPDATE.—The form under subsection (a) shall be completed by an individual at the time of entry into the Armed Forces and updated periodically thereafter.

SEC. 108. ENHANCEMENT OF VETERANS' MORTGAGE LIFE INSURANCE.

Section 2106(b) is amended by striking “\$90,000” and inserting “\$150,000, or \$200,000 after January 1, 2012.”.

TITLE II—HOUSING MATTERS

SEC. 201. HOME IMPROVEMENTS AND STRUCTURAL ALTERATIONS FOR TOTALLY DISABLED MEMBERS OF THE ARMED FORCES BEFORE DISCHARGE OR RELEASE FROM THE ARMED FORCES.

Section 1717 is amended by adding at the end the following new subsection:

“(d)(1) In the case of a member of the Armed Forces who, as determined by the Secretary, has a disability permanent in nature incurred or aggravated in the line of duty in the active military, naval, or air service, the Secretary may

furnish improvements and structural alterations for such member for such disability or as otherwise described in subsection (a)(2) while such member is hospitalized or receiving outpatient medical care, services, or treatment for such disability if the Secretary determines that such member is likely to be discharged or released from the Armed Forces for such disability.

“(2) The furnishing of improvements and alterations under paragraph (1) in connection with the furnishing of medical services described in subparagraph (A) or (B) of subsection (a)(2) shall be subject to the limitation specified in the applicable subparagraph.”.

SEC. 202. ELIGIBILITY FOR SPECIALLY ADAPTED HOUSING BENEFITS AND ASSISTANCE FOR MEMBERS OF THE ARMED FORCES WITH SERVICE-CONNECTED DISABILITIES AND INDIVIDUALS RESIDING OUTSIDE THE UNITED STATES.

(a) ELIGIBILITY.—Chapter 21 is amended by inserting after section 2101 the following new section:

“§2101A. Eligibility for benefits and assistance: members of the Armed Forces with service-connected disabilities; individuals residing outside the United States

“(a) MEMBERS WITH SERVICE-CONNECTED DISABILITIES.—(1) The Secretary may provide assistance under this chapter to a member of the Armed Forces serving on active duty who is suffering from a disability that meets applicable criteria for benefits under this chapter if the disability is incurred or aggravated in line of duty in the active military, naval, or air service. Such assistance shall be provided to the same extent as assistance is provided under this chapter to veterans eligible for assistance under this chapter and subject to the same requirements as veterans under this chapter.

“(2) For purposes of this chapter, any reference to a veteran or eligible individual shall be treated as a reference to a member of the Armed Forces described in subsection (a) who is similarly situated to the veteran or other eligible individual so referred to.

“(b) BENEFITS AND ASSISTANCE FOR INDIVIDUALS RESIDING OUTSIDE THE UNITED STATES.—(1) Subject to paragraph (2), the Secretary may, at the Secretary's discretion, provide benefits and assistance under this chapter (other than benefits under section 2106 of this title) to any individual otherwise eligible for such benefits and assistance who resides outside the United States.

“(2) The Secretary may provide benefits and assistance to an individual under paragraph (1) only if—

(A) the country or political subdivision in which the housing or residence involved is or will be located permits the individual to have or acquire a beneficial property interest (as determined by the Secretary) in such housing or residence; and

(B) the individual has or will acquire a beneficial property interest (as so determined) in such housing or residence.

“(c) REGULATIONS.—Benefits and assistance under this chapter by reason of this section shall be provided in accordance with such regulations as the Secretary may prescribe.”.

(b) CONFORMING AMENDMENTS.—

(1) REPEAL OF SUPERSEDED AUTHORITY.—Section 2101 is amended—

(A) by striking subsection (c); and

(B) by redesignating subsection (d) as subsection (c).

(2) LIMITATIONS ON ASSISTANCE.—Section 2102 is amended—

(A) in subsection (a)—

(i) by striking “veteran” each place it appears and inserting “individual”; and

(ii) in paragraph (3), by striking “veteran's” and inserting “individual's”; and

(B) in subsection (b)(1), by striking “a veteran” and inserting “an individual”; and

(C) in subsection (c)—

(i) by striking “a veteran” and inserting “an individual”; and

(ii) by striking “the veteran” each place it appears and inserting “the individual”; and

(D) in subsection (d), by striking “a veteran” each place it appears and inserting “an individual”.

(3) ASSISTANCE FOR INDIVIDUALS TEMPORARILY RESIDING IN HOUSING OF FAMILY MEMBER.—Section 2102A is amended—

(A) by striking “veteran” each place it appears (other than in subsection (b)) and inserting “individual”; and

(B) in subsection (a), by striking “veteran's” each place it appears and inserting “individual's”; and

(C) in subsection (b), by striking “a veteran” each place it appears and inserting “an individual”.

(4) FURNISHING OF PLANS AND SPECIFICATIONS.—Section 2103 is amended by striking “veterans” both places it appears and inserting “individuals”.

(5) CONSTRUCTION OF BENEFITS.—Section 2104 is amended—

(A) in subsection (a), by striking “veteran” each place it appears and inserting “individual”; and

(B) in subsection (b)—

(i) in the first sentence, by striking “A veteran” and inserting “An individual”; and

(ii) in the second sentence, by striking “a veteran” and inserting “an individual”; and

(iii) by striking “such veteran” each place it appears and inserting “such individual”.

(6) VETERANS' MORTGAGE LIFE INSURANCE.—Section 2106 is amended—

(A) in subsection (a)—

(i) by striking “any eligible veteran” and inserting “any eligible individual”; and

(ii) by striking “the veterans” and inserting “the individual's”; and

(B) in subsection (b), by striking “an eligible veteran” and inserting “an eligible individual”; and

(C) in subsection (e), by striking “an eligible veteran” and inserting “an individual”; and

(D) in subsection (h), by striking “each veteran” and inserting “each individual”; and

(E) in subsection (i), by striking “the veteran's” each place it appears and inserting “the individual's”; and

(F) by striking “the veteran” each place it appears and inserting “the individual”; and

(G) by striking “a veteran” each place it appears and inserting “an individual”.

(7) HEADING AMENDMENTS.—(A) The heading of section 2101 is amended to read as follows:

“§2101. Acquisition and adaptation of housing: eligible veterans”.

(B) The heading of section 2102A is amended to read as follows:

“§2102A. Assistance for individuals residing temporarily in housing owned by a family member”.

(8) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 21 is amended—

(A) by striking the item relating to section 2101 and inserting the following new item:

“2101. Acquisition and adaptation of housing: eligible veterans.”;

(B) by inserting after the item relating to section 2101, as so amended, the following new item:

“2101A. Eligibility for benefits and assistance: members of the Armed Forces with service-connected disabilities; individuals residing outside the United States.”;

and

(C) by striking the item relating to section 2102A and inserting the following new item:

“2102A. Assistance for individuals residing temporarily in housing owned by a family member.”.

SEC. 203. SPECIALLY ADAPTED HOUSING ASSISTANCE FOR INDIVIDUALS WITH SEVERE BURN INJURIES.

Section 2101 is amended—

(1) in subsection (a)(2), by adding at the end the following new subparagraph:

“(E) The disability is due to a severe burn injury (as determined pursuant to regulations prescribed by the Secretary).”; and

(2) in subsection (b)(2)—

(A) by striking “either” and inserting “any”; and

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

“(C) The disability is due to a severe burn injury (as so determined).”.

SEC. 204. EXTENSION OF ASSISTANCE FOR INDIVIDUALS RESIDING TEMPORARILY IN HOUSING OWNED BY A FAMILY MEMBER.

Section 2102A(e) is amended by striking “after the end of the five-year period that begins on the date of the enactment of the Veterans’ Housing Opportunity and Benefits Improvement Act of 2006” and inserting “after December 31, 2011”.

SEC. 205. SUPPLEMENTAL SPECIALLY ADAPTED HOUSING BENEFITS FOR DISABLED VETERANS.

(a) IN GENERAL.—Chapter 21 is amended by inserting after section 2102A the following new section:

“§2102B. Supplemental assistance

“(a) IN GENERAL.—(1) Subject to the availability of funds specifically provided for purposes of this subsection in advance in an appropriations Act, whenever the Secretary makes a payment in accordance with section 2102 of this title to an individual authorized to receive such assistance under section 2101 of this title for the acquisition of housing with special features or for special adaptations to a residence, the Secretary is also authorized and directed to pay such individual supplemental assistance under this section for such acquisition or adaptation.

“(2) No supplemental assistance payment shall be made under this subsection if the Secretary has expended all funds that were specifically provided for purposes of this subsection in an appropriations Act.

“(b) AMOUNT OF SUPPLEMENTAL ASSISTANCE.—(1) In the case of a payment made in accordance with section 2102(a) of this title, supplemental assistance required by subsection (a) is equal to the excess of—

“(A) the payment which would be determined under section 2102(a) of this title, and 2102A of this title if applicable, if the amount described in section 2102(d)(1) of this title were increased to the adjusted amount described in subsection (c)(1), over

“(B) the payment determined without regard to this section.

“(2) In the case of a payment made in accordance with section 2102(b) of this title, supplemental assistance required by subsection (a) is equal to the excess of—

“(A) the payment which would be determined under section 2102(b) of this title, and 2102A of this title if applicable, if the amount described in section 2102(b)(2) of this title and section 2102(d)(2) of this title were increased to the adjusted amount described in subsection (c)(2), over

“(B) the payment determined without regard to this section.

“(c) ADJUSTED AMOUNT.—(1) In the case of a payment made in accordance with section 2102(a) of this title, the adjusted amount is \$60,000 (as adjusted from time to time under subsection (d)).

“(2) In the case of a payment made in accordance with section 2102(b) of this title, the adjusted amount is \$12,000 (as adjusted from time to time under subsection (d)).

“(d) ADJUSTMENT.—(1) Effective on October 1 of each year (beginning in 2008), the Secretary shall increase the adjusted amounts described in

subsection (c) in accordance with this subsection.

“(2) The increase in amounts under paragraph (1) to take effect on October 1 of any year shall be the percentage by which (A) the residential home cost-of-construction index for the preceding calendar year exceeds (B) the residential home cost-of-construction index for the year preceding that year.

“(3) The Secretary shall establish a residential home cost-of-construction index for the purposes of this subsection. The index shall reflect a uniform, national average increase in the cost of residential home construction, determined on a calendar year basis. The Secretary may use an index developed in the private sector that the Secretary determines is appropriate for purposes of this subsection.

“(e) ESTIMATES.—(1) From time to time, the Secretary shall make an estimate of—

“(A) the amount of funding that would be necessary to provide supplemental assistance under this section to all eligible recipients for the remainder of the fiscal year in which such an estimate is made; and

“(B) the amount that Congress would need to appropriate to provide all eligible recipients with supplemental assistance under this section in the next fiscal year.

“(2) On the dates described in paragraph (3), the Secretary shall submit to the appropriate committees of Congress the estimates described in paragraph (1).

“(3) The dates described in this paragraph are the following:

“(A) April 1 of each year.

“(B) July 1 of each year.

“(C) September 1 of each year.

“(D) The date that is 60 days before the date estimated by the Secretary on which amounts appropriated for the purposes of this section for a fiscal year will be exhausted.

“(f) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘appropriate committees of Congress’ means—

“(1) the Committee on Appropriations and the Committee on Veterans’ Affairs of the Senate; and

“(2) the Committee on Appropriations and the Committee on Veterans’ Affairs of the House of Representatives.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 2102A the following new item:

“2102B. Supplemental assistance.”.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Veterans Affairs such sums as may be necessary to carry out the provisions of section 2102B of title 38, United States Code (as added by subsection (a)).

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2007, and shall apply with respect to payments made in accordance with section 2102 of title 38, United States Code, on or after that date.

SEC. 206. REPORT ON SPECIALLY ADAPTED HOUSING FOR DISABLED INDIVIDUALS.

(a) IN GENERAL.—Not later than December 31, 2008, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report that contains an assessment of the adequacy of the authorities available to the Secretary under law to assist eligible disabled individuals in acquiring—

(1) suitable housing units with special fixtures or movable facilities required for their disabilities, and necessary land therefor;

(2) such adaptations to their residences as are reasonably necessary because of their disabilities; and

(3) residences already adapted with special features determined by the Secretary to be reasonably necessary as a result of their disabilities.

(b) FOCUS ON PARTICULAR DISABILITIES.—The report required by subsection (a) shall set forth a specific assessment of the needs of—

(1) veterans who have disabilities that are not described in subsections (a)(2) and (b)(2) of section 2101 of title 38, United States Code; and

(2) other disabled individuals eligible for specially adapted housing under chapter 21 of such title by reason of section 2101A of such title (as added by section 202(a) of this Act) who have disabilities that are not described in such subsections.

SEC. 207. REPORT ON SPECIALLY ADAPTED HOUSING ASSISTANCE FOR INDIVIDUALS WHO RESIDE IN HOUSING OWNED BY A FAMILY MEMBER ON PERMANENT BASIS.

Not later than December 31, 2008, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the advisability of providing assistance under section 2102A of title 38, United States Code, to veterans described in subsection (a) of such section, and to members of the Armed Forces covered by such section 2102A by reason of section 2101A of title 38, United States Code (as added by section 202(a) of this Act), who reside with family members on a permanent basis.

TITLE III—LABOR AND EDUCATION MATTERS**SEC. 301. COORDINATION OF APPROVAL ACTIVITIES IN THE ADMINISTRATION OF EDUCATION BENEFITS.**

(a) COORDINATION.—

(1) IN GENERAL.—Section 3673 is amended—

(A) by redesignating subsection (b) as subsection (c); and

(B) by inserting after subsection (a) the following new subsection (b):

“(b) COORDINATION OF ACTIVITIES.—The Secretary shall take appropriate actions to ensure the coordination of approval activities performed by State approving agencies under this chapter and chapters 34 and 35 of this title and approval activities performed by the Department of Labor, the Department of Education, and other entities in order to reduce overlap and improve efficiency in the performance of such activities.”.

(2) CONFORMING AND CLERICAL AMENDMENTS.—(A) The heading of such section is amended to read as follows:

“§3673. Approval activities: cooperation and coordination of activities”.

(B) The table of sections at the beginning of chapter 36 is amended by striking the item relating to section 3673 and inserting the following new item:

“3673. Approval activities: cooperation and coordination of activities.”.

(3) STYLISTIC AMENDMENTS.—Such section is further amended—

(A) in subsection (a), by inserting “COOPERATION IN ACTIVITIES.—” after “(a)”; and

(B) in subsection (c), as redesignated by paragraph (1)(A) of this subsection, by inserting “AVAILABILITY OF INFORMATION MATERIAL.—” after “(c)”.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report setting forth the following:

(1) The actions taken to establish outcome-oriented performance standards for State approving agencies created or designated under section 3671 of title 38, United States Code, including a description of any plans for, and the status of the implementation of, such standards as part of the evaluations of State approving agencies required by section 3674A of title 38, United States Code.

(2) The actions taken to implement a tracking and reporting system for resources expended for

approval and outreach activities by such agencies.

(3) Any recommendations for legislative action that the Secretary considers appropriate to achieve the complete implementation of the standards described in paragraph (1).

SEC. 302. MODIFICATION OF RATE OF REIMBURSEMENT OF STATE AND LOCAL AGENCIES ADMINISTERING VETERANS EDUCATION BENEFITS.

Section 3674(a)(4) is amended by striking "\$13,000,000" and all that follows through "fiscal year 2007."

SEC. 303. WAIVER OF RESIDENCY REQUIREMENT FOR DIRECTORS FOR VETERANS' EMPLOYMENT AND TRAINING.

Section 4103(a)(2) is amended—

(1) by inserting "(A)" after "(2)"; and

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

"(B) The Secretary may waive the requirement in subparagraph (A) with respect to a Director for Veterans' Employment and Training if the Secretary determines that the waiver is in the public interest. Any such waiver shall be made on a case-by-case basis."

SEC. 304. MODIFICATION OF SPECIAL UNEMPLOYMENT STUDY TO COVER VETERANS OF POST 9/11 GLOBAL OPERATIONS.

(a) MODIFICATION OF STUDY.—Subsection (a)(1) of section 4110A is amended—

(1) in the matter before subparagraph (A), by striking "a study every two years" and inserting "an annual study";

(2) by redesignating subparagraph (A) as subparagraph (F);

(3) by striking subparagraph (B) and inserting the following new subparagraphs:

"(A) Veterans who were called to active duty while members of the National Guard or a Reserve Component.

"(B) Veterans who served in combat or in a war zone in the Post 9/11 Global Operations theaters.";

(4) in subparagraph (C)—

(A) by striking "Vietnam era" and inserting "Post 9/11 Global Operations period"; and

(B) by striking "the Vietnam theater of operations" and inserting "the Post 9/11 Global Operations theaters".

(b) DEFINITIONS.—Such section is further amended by adding at the end the following new subsection:

"(c) In this section:

"(1) The term 'Post 9/11 Global Operations period' means the period of the Persian Gulf War beginning on September 11, 2001, and ending on the date thereafter prescribed by Presidential proclamation or law.

"(2) The term 'Post 9/11 Global Operations theaters' means Afghanistan, Iraq, or any other theater in which the Global War on Terrorism Expeditionary Medal is awarded for service."

SEC. 305. EXTENSION OF INCREASE IN BENEFIT FOR INDIVIDUALS PURSUING APRENTICESHIP OR ON-JOB TRAINING.

Section 103 of the Veterans Benefits Improvement Act of 2004 (Public Law 108-454; 118 Stat. 3600) is amended by striking "2008" each place it appears and inserting "2010".

TITLE IV—FILIPINO WORLD WAR II VETERANS MATTERS

SEC. 401. EXPANSION OF ELIGIBILITY FOR BENEFITS PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS FOR CERTAIN SERVICE IN THE ORGANIZED MILITARY FORCES OF THE COMMONWEALTH OF THE PHILIPPINES AND THE PHILIPPINE SCOUTS.

(a) MODIFICATION OF STATUS OF CERTAIN SERVICE.—

(1) IN GENERAL.—Section 107 is amended to read as follows:

"§107. *Certain service with Philippine forces deemed to be active service*

"(a) IN GENERAL.—Service described in subsection (b) shall be deemed to have been active

military, naval, or air service for purposes of any law of the United States conferring rights, privileges, or benefits upon any individual by reason of the service of such individual or the service of any other individual in the Armed Forces.

"(b) SERVICE DESCRIBED.—Service described in this subsection is service—

"(1) before July 1, 1946, in the organized military forces of the Government of the Commonwealth of the Philippines, while such forces were in the service of the Armed Forces of the United States pursuant to the military order of the President dated July 26, 1941, including among such military forces organized guerrilla forces under commanders appointed, designated, or subsequently recognized by the Commander in Chief, Southwest Pacific Area, or other competent authority in the Army of the United States; or

"(2) in the Philippine Scouts under section 14 of the Armed Forces Voluntary Recruitment Act of 1945 (59 Stat. 538).

"(c) DEPENDENCY AND INDEMNITY COMPENSATION FOR CERTAIN RECIPIENTS RESIDING OUTSIDE THE UNITED STATES.—(1) Dependency and indemnity compensation provided under chapter 13 of this title to an individual described in paragraph (2) shall be made at a rate of \$0.50 for each dollar authorized.

"(2) An individual described in this paragraph is an individual who resides outside the United States and is entitled to dependency and indemnity compensation under chapter 13 of this title based on service described in subsection (b).

"(d) MODIFIED PENSION AND DEATH PENSION FOR CERTAIN RECIPIENTS RESIDING OUTSIDE THE UNITED STATES.—(1) Any pension provided under subchapter II or III of chapter 15 of this title to an individual described in paragraph (2) shall be made only as specified in section 1514 of this title.

"(2) An individual described in this paragraph is an individual who resides outside the United States and is entitled to a pension provided under subchapter II or III of chapter 15 of this title based on service described in subsection (b).

"(e) UNITED STATES DEFINED.—In this section, the term 'United States' means the States, the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other possession or territory of the United States."

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 is amended by striking the item related to section 107 and inserting the following new item:

"107. *Certain service with Philippine forces deemed to be active service.*"

(3) EFFECTIVE DATE.—The amendment made by this subsection shall apply with respect to the payment or provision of benefits on or after the date of the enactment of this Act. No benefits are payable or are required to be provided by reason of such amendment for any period before such date.

(b) PENSION AND DEATH PENSION FOR CERTAIN SERVICE.—

(1) IN GENERAL.—Subchapter II of chapter 15 is amended by adding at the end the following new section:

"§1514. *Certain recipients residing outside the United States*

"(a) SPECIAL RATES FOR PENSION BENEFITS FOR INDIVIDUALS SERVING WITH PHILIPPINE FORCES AND SURVIVORS.—(1) Payment under this subchapter to an individual who resides outside the United States and is eligible for such payment because of service described in section 107(b) of this title shall be made as follows:

"(A) For such an individual who is married, at a rate of \$4,500 per year (as increased from time to time under section 5312 of this title).

"(B) For such an individual who is not married, at a rate of \$3,600 per year (as increased

from time to time under section 5312 of this title).

"(2) Payment under subchapter III of this chapter to an individual who resides outside the United States and is eligible for such payment because of service described in section 107(b) of this title shall be made at a rate of \$2,400 per year (as increased from time to time under section 5312 of this title).

"(3) An individual who is otherwise entitled to benefits under this chapter and resides outside the United States, and receives or would otherwise be eligible to receive a monetary benefit from a foreign government, may not receive benefits under this chapter for service described in section 107(b) of this title if receipt of such benefits under this chapter would reduce such monetary benefit from such foreign government.

"(4) The provisions of sections 1503(a), 1506, 1522, and 1543 of this title shall not apply to benefits paid under this section.

"(b) INDIVIDUALS LIVING OUTSIDE THE UNITED STATES ENTITLED TO CERTAIN SOCIAL SECURITY BENEFITS INELIGIBLE.—An individual residing outside the United States who is receiving or is eligible to receive benefits under title VIII of the Social Security Act (42 U.S.C. 1001 et seq.) may not receive benefits under this chapter.

"(c) UNITED STATES DEFINED.—In this section, the term 'United States' means the States, the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other possession or territory of the United States."

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 15 is amended by inserting after the item related to section 1513 the following new item:

"1514. *Certain recipients residing outside the United States.*"

(3) FREQUENCY OF PAYMENT.—Section 1508 is amended by inserting "1514," before "1521," each place it appears.

(4) ROUNDING DOWN OF RATES.—Section 5123 is amended by inserting "1514," before "1521".

(5) ANNUAL ADJUSTMENT OF BENEFIT RATES.—Section 5312 is amended—

(A) in subsection (a), by inserting "1514," before "1521," the first place it appears; and

(B) in subsection (c)(1), by inserting "1514," before "1521,".

(6) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall apply to applications for benefits filed on or after May 1, 2008. The amendments made by paragraphs (3), (4), and (5) shall take effect on May 1, 2008.

(c) PENSION AND DEATH PENSION BENEFIT PROTECTION.—Notwithstanding any other provision of law, a veteran with service described in section 107(b) of title 38, United States Code (as added by subsection (a)), who is receiving benefits under a Federal or federally assisted program as of the date of the enactment of this Act, or a survivor of such veteran who is receiving such benefits as of the date of the enactment of this Act, may not be required to apply for or receive benefits under chapter 15 of such title if the receipt of such benefits would—

(1) make such veteran or survivor ineligible for any Federal or federally assisted program for which such veteran or survivor qualifies; or

(2) reduce the amount of benefit such veteran or survivor would receive from any Federal or federally assisted program for which such veteran or survivor qualifies.

SEC. 402. ELIGIBILITY OF CHILDREN OF CERTAIN PHILIPPINE VETERANS FOR EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Subsection (b) of section 3565 is amended by striking "except that—" and all that follows and inserting "except that a reference to a State approving agency shall be deemed to refer to the Secretary."

(b) REPEAL OF OBSOLETE PROVISION.—Such section is further amended by striking subsection (c).

TITLE V—COURT MATTERS

SEC. 501. RECALL OF RETIRED JUDGES OF THE UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS.

(a) **REPEAL OF LIMIT ON SERVICE OF RECALLED RETIRED JUDGES WHO VOLUNTARILY SERVE MORE THAN 90 DAYS.**—Section 7257(b)(2) is amended by striking “or for more than a total of 180 days (or the equivalent) during any calendar year”.

(b) **NEW JUDGES RECALLED AFTER RETIREMENT RECEIVE PAY OF CURRENT JUDGES ONLY DURING PERIOD OF RECALL.**—

(1) **IN GENERAL.**—Section 7296(c) is amended by striking paragraph (1) and inserting the following new paragraph:

“(1)(A) A judge who is appointed on or after the date of the enactment of the Veterans’ Benefits Enhancement Act of 2007 and who retires under subsection (b) and elects under subsection (d) to receive retired pay under this subsection shall (except as provided in paragraph (2)) receive retired pay as follows:

“(i) In the case of a judge who is a recall-eligible retired judge under section 7257 of this title, the retired pay of the judge shall (subject to section 7257(d)(2) of this title) be the rate of pay applicable to that judge at the time of retirement, as adjusted from time to time under subsection (f)(3).

“(ii) In the case of a judge other than a recall-eligible retired judge, the retired pay of the judge shall be the rate of pay applicable to that judge at the time of retirement.

“(B) A judge who retired before the date of the enactment of the Veterans’ Benefits Enhancement Act of 2007 and elected under subsection (d) to receive retired pay under this subsection, or a judge who retires under subsection (b) and elects under subsection (d) to receive retired pay under this subsection, shall (except as provided in paragraph (2)) receive retired pay as follows:

“(i) In the case of a judge who is a recall-eligible retired judge under section 7257 of this title or who was a recall-eligible retired judge under that section and was removed from recall status under subsection (b)(4) of that section by reason of disability, the retired pay of the judge shall be the pay of a judge of the court.

“(ii) In the case of a judge who at the time of retirement did not provide notice under section 7257 of this title of availability for service in a recalled status, the retired pay of the judge shall be the rate of pay applicable to that judge at the time of retirement.

“(iii) In the case of a judge who was a recall-eligible retired judge under section 7257 of this title and was removed from recall status under subsection (b)(3) of that section, the retired pay of the judge shall be the pay of the judge at the time of the removal from recall status.”.

(2) **COST-OF-LIVING ADJUSTMENT FOR RETIRED PAY OF NEW JUDGES WHO ARE RECALL-ELIGIBLE.**—Section 7296(f)(3)(A) is amended by striking “paragraph (2) of subsection (c)” and inserting “paragraph (1)(A)(i) or (2) of subsection (c)”.

(3) **PAY DURING PERIOD OF RECALL.**—Subsection (d) of section 7257 is amended to read as follows:

“(d)(1) The pay of a recall-eligible retired judge to whom section 7296(c)(1)(B) of this title applies is the pay specified in that section.

“(2) A judge who is recalled under this section who retired under chapter 83 or 84 of title 5 or to whom section 7296(c)(1)(A) of this title applies shall be paid, during the period for which the judge serves in recall status, pay at the rate of pay in effect under section 7253(e) of this title for a judge performing active service, less the amount of the judge’s annuity under the applicable provisions of chapter 83 or 84 of title 5 or the judge’s annuity under section 7296(c)(1)(A) of this title, whichever is applicable.”.

(4) **NOTICE.**—The last sentence of section 7257(a)(1) is amended to read as follows: “Such a notice provided by a retired judge to whom

section 7296(c)(1)(B) of this title applies is irrevocable.”.

(c) **LIMITATION ON INVOLUNTARY RECALLS.**—Section 7257(b)(3) is amended by adding at the end the following new sentence: “This paragraph shall not apply to a judge to whom section 7296(c)(1)(A) or 7296(c)(1)(B) of this title applies and who has, in the aggregate, served at least five years of recalled service on the Court under this section.”.

SEC. 502. ADDITIONAL DISCRETION IN IMPOSITION OF PRACTICE AND REGISTRATION FEES.

Section 7285(a) is amended—

(1) in the first sentence, by inserting “reasonable” after “impose a”;

(2) in the second sentence, by striking “, except that such amount may not exceed \$30 per year”;

(3) in the third sentence, by inserting “reasonable” after “impose a”.

SEC. 503. ANNUAL REPORTS ON WORKLOAD OF UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS.

(a) **IN GENERAL.**—Subchapter III of chapter 72 is amended by adding at the end the following new section:

“§ 7288. Annual report

“(a) **IN GENERAL.**—The chief judge of the Court shall submit annually to the appropriate committees of Congress a report summarizing the workload of the Court for the last fiscal year that ended before the submission of such report. Such report shall include, with respect to such fiscal year, the following information:

“(1) The number of appeals filed.

“(2) The number of petitions filed.

“(3) The number of applications filed under section 2412 of title 28.

“(4) The number and type of dispositions.

“(5) The median time from filing to disposition.

“(6) The number of oral arguments.

“(7) The number and status of pending appeals and petitions and of applications described in paragraph (3).

“(8) A summary of any service performed by recalled retired judges during the fiscal year.

“(b) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term ‘appropriate committees of Congress’ means the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 72 is amended by inserting after the item related to section 7287 the following new item:

“7288. Annual report.”.

SEC. 504. REPORT ON EXPANSION OF FACILITIES FOR UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS.

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

(1) The United States Court of Appeals for Veterans Claims is currently located in the District of Columbia in a commercial office building that is also occupied by other Federal tenants.

(2) In February 2006, the General Services Administration provided Congress with a preliminary feasibility analysis of a dedicated Veterans Courthouse and Justice Center that would house the Court and other entities that work with the Court.

(3) In February 2007, the Court notified Congress that the “most cost-effective alternative appears to be leasing substantial additional space in the current location”, which would “require relocating other current government tenants” from that building.

(4) The February 2006 feasibility report of the General Services Administration does not include an analysis of whether it would be feasible or desirable to locate a Veterans Courthouse and Justice Center at the current location of the Court.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the United States Court of Appeals for Veterans Claims should be provided with appropriate office space to meet its needs, as well as to provide the image, security, and stature befitting a court that provides justice to the veterans of the United States; and

(2) in providing that space, Congress should avoid undue disruption, inconvenience, or cost to other Federal entities.

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of General Services shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the feasibility of—

(A) leasing additional space for the United States Court of Appeals for Veterans Claims within the building where the Court was located on the date of the enactment of this Act; and

(B) using the entirety of such building as a Veterans Courthouse and Justice Center.

(2) **CONTENTS.**—The report required by paragraph (1) shall include a detailed analysis of the following:

(A) The impact that the matter analyzed in accordance with paragraph (1) would have on Federal tenants of the building used by the Court.

(B) Whether it would be feasible to relocate such Federal tenants into office space that offers similar or preferable cost, convenience, and usable square footage.

(C) If relocation of such Federal tenants is found to be feasible and desirable, an analysis of what steps should be taken to convert the building into a Veterans Courthouse and Justice Center and a timeline for such conversion.

(3) **COMMENT PERIOD.**—The Administrator shall provide an opportunity to such Federal tenants—

(A) before the completion of the report required by paragraph (1), to comment on the subject of the report required by such paragraph; and

(B) before the Administrator submits the report required by paragraph (1) to the congressional committees specified in such paragraph, to comment on a draft of such report.

TITLE VI—COMPENSATION AND PENSION MATTERS

SEC. 601. ADDITION OF OSTEOPOROSIS TO DISABILITIES PRESUMED TO BE SERVICE-CONNECTED IN FORMER PRISONERS OF WAR WITH POST-TRAUMATIC STRESS DISORDER.

Section 1112(b)(2) is amended by adding at the end the following new subparagraph:

“(F) Osteoporosis, if the Secretary determines that the veteran was diagnosed with post-traumatic stress disorder (PTSD).”.

SEC. 602. COST-OF-LIVING INCREASE FOR TEMPORARY DEPENDENCY AND INDEMNITY COMPENSATION PAYABLE FOR SURVIVING SPOUSES WITH DEPENDENT CHILDREN UNDER THE AGE OF 18.

Section 1311(f) is amended by adding at the end the following new paragraph:

“(5) Whenever there is an increase in benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) as a result of a determination made under section 215(t) of such Act (42 U.S.C. 415(i)), the Secretary shall, effective on the date of such increase in benefit amounts, increase the amount payable under paragraph (1), as such amount was in effect immediately prior to the date of such increase in benefit amounts, by the same percentage as the percentage by which such benefit amounts are increased. Any increase in a dollar amount under this paragraph shall be rounded down to the next lower whole dollar amount.”.

SEC. 603. CLARIFICATION OF ELIGIBILITY OF VETERANS 65 YEARS OF AGE OR OLDER FOR SERVICE PENSION FOR A PERIOD OF WAR.

Section 1513 is amended—

(1) in subsection (a), by striking “by section 1521” and all that follows and inserting “by subsection (b), (c), (f)(1), (f)(5), or (g) of that section, as the case may be and as increased from time to time under section 5312 of this title.”;

(2) by redesignating subsection (b) as subsection (c); and

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

“(b) The conditions in subsections (h) and (i) of section 1521 of this title shall apply to determinations of income and maximum payments of pension for purposes of this section.”.

TITLE VII—BURIAL AND MEMORIAL MATTERS

SEC. 701. SUPPLEMENTAL BENEFITS FOR VETERANS FOR FUNERAL AND BURIAL EXPENSES.

(a) FUNERAL EXPENSES.—

(1) IN GENERAL.—Chapter 23 is amended by inserting after section 2302 the following new section:

“§2302A. Funeral expenses: supplemental benefits

“(a) IN GENERAL.—(1) Subject to the availability of funds specifically provided for purposes of this subsection in advance in an appropriations Act, whenever the Secretary makes a payment for the burial and funeral of a veteran under section 2302(a) of this title, the Secretary is also authorized and directed to pay the recipient of such payment a supplemental payment under this section for the cost of such burial and funeral.

“(2) No supplemental payment shall be made under this subsection if the Secretary has expended all funds that were specifically provided for purposes of this subsection in an appropriations Act.

“(b) AMOUNT.—The amount of the supplemental payment required by subsection (a) for any death is \$900 (as adjusted from time to time under subsection (c)).

“(c) ADJUSTMENT.—With respect to deaths that occur in any fiscal year after fiscal year 2008, the supplemental payment described in subsection (b) shall be equal to the sum of—

“(1) the supplemental payment in effect under subsection (b) for the preceding fiscal year (determined after application of this subsection), plus

“(2) the sum of the amount described in section 2302(a) of this title and the amount under paragraph (1), multiplied by the percentage by which—

“(A) 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

“(B) such Consumer Price Index for the 12-month period preceding the 12-month period described in subparagraph (A).

“(d) ESTIMATES.—(1) From time to time, the Secretary shall make an estimate of—

“(A) the amount of funding that would be necessary to provide supplemental payments under this section to all eligible recipients for the remainder of the fiscal year in which such an estimate is made; and

“(B) the amount that Congress would need to appropriate to provide all eligible recipients with supplemental payments under this section in the next fiscal year.

“(2) On the dates described in paragraph (3), the Secretary shall submit to the appropriate committees of Congress the estimates described in paragraph (1).

“(3) The dates described in this paragraph are the following:

“(A) April 1 of each year.

“(B) July 1 of each year.

“(C) September 1 of each year.

“(D) The date that is 60 days before the date estimated by the Secretary on which amounts appropriated for the purposes of this section for a fiscal year will be exhausted.

“(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘appropriate committees of Congress’ means—

“(1) the Committee on Appropriations and the Committee on Veterans’ Affairs of the Senate; and

“(2) the Committee on Appropriations and the Committee on Veterans’ Affairs of the House of Representatives.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 2302 the following new item:

“2302A. Funeral expenses: supplemental benefits.”.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Veterans Affairs such sums as may be necessary to carry out the provisions of section 2302A of title 38, United States Code (as added by this subsection).

(b) DEATH FROM SERVICE-CONNECTED DISABILITY.—

(1) IN GENERAL.—Chapter 23 is amended by inserting after section 2307 the following new section:

“§2307A. Death from service-connected disability: supplemental benefits for burial and funeral expenses

“(a) IN GENERAL.—(1) Subject to the availability of funds specifically provided for purposes of this subsection in advance in an appropriations Act, whenever the Secretary makes a payment for the burial and funeral of a veteran under section 2307(1) of this title, the Secretary is also authorized and directed to pay the recipient of such payment a supplemental payment under this section for the cost of such burial and funeral.

“(2) No supplemental payment shall be made under this subsection if the Secretary has expended all funds that were specifically provided for purposes of this subsection in an appropriations Act.

“(b) AMOUNT.—The amount of the supplemental payment required by subsection (a) for any death is \$2,100 (as adjusted from time to time under subsection (c)).

“(c) ADJUSTMENT.—With respect to deaths that occur in any fiscal year after fiscal year 2008, the supplemental payment described in subsection (b) shall be equal to the sum of—

“(1) the supplemental payment in effect under subsection (b) for the preceding fiscal year (determined after application of this subsection), plus

“(2) the sum of the amount described in section 2307(1) of this title and the amount under paragraph (1), multiplied by the percentage by which—

“(A) 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

“(B) such Consumer Price Index for the 12-month period preceding the 12-month period described in subparagraph (A).

“(d) ESTIMATES.—(1) From time to time, the Secretary shall make an estimate of—

“(A) the amount of funding that would be necessary to provide supplemental payments under this section to all eligible recipients for the remainder of the fiscal year in which such an estimate is made; and

“(B) the amount that Congress would need to appropriate to provide all eligible recipients with supplemental payments under this section in the next fiscal year.

“(2) On the dates described in paragraph (3), the Secretary shall submit to the appropriate committees of Congress the estimates described in paragraph (1).

“(3) The dates described in this paragraph are the following:

“(A) April 1 of each year.

“(B) July 1 of each year.

“(C) September 1 of each year.

“(D) The date that is 60 days before the date estimated by the Secretary on which amounts appropriated for the purposes of this section for a fiscal year will be exhausted.

“(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘appropriate committees of Congress’ means—

“(1) the Committee on Appropriations and the Committee on Veterans’ Affairs of the Senate; and

“(2) the Committee on Appropriations and the Committee on Veterans’ Affairs of the House of Representatives.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 2307 the following new item:

“2307A. Death from service-connected disability: supplemental benefits for burial and funeral expenses.”.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Veterans Affairs such sums as may be necessary to carry out the provisions of section 2307A of title 38, United States Code (as added by this subsection).

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2007, and shall apply with respect to deaths occurring on or after that date.

SEC. 702. SUPPLEMENTAL PLOT ALLOWANCES.

(a) IN GENERAL.—Chapter 23 is amended by inserting after section 2303 the following new section:

“§2303A. Supplemental plot allowance

“(a) IN GENERAL.—(1) Subject to the availability of funds specifically provided for purposes of this subsection in advance in an appropriations Act, whenever the Secretary makes a payment for the burial and funeral of a veteran under section 2303(a)(1)(A) of this title, or for the burial of a veteran under paragraph (1) or (2) of section 2303(b) of this title, the Secretary is also authorized and directed to pay the recipient of such payment a supplemental payment under this section for the cost of such burial and funeral or burial, as applicable.

“(2) No supplemental plot allowance payment shall be made under this subsection if the Secretary has expended all funds that were specifically provided for purposes of this subsection in an appropriations Act.

“(b) AMOUNT.—The amount of the supplemental payment required by subsection (a) for any death is \$445 (as adjusted from time to time under subsection (c)).

“(c) ADJUSTMENT.—With respect to deaths that occur in any fiscal year after fiscal year 2008, the supplemental payment described in subsection (b) shall be equal to the sum of—

“(1) the supplemental payment in effect under subsection (b) for the preceding fiscal year (determined after application of this subsection), plus

“(2) the sum of the amount described in section 2303(a)(1)(A) of this title and the amount under paragraph (1), multiplied by the percentage by which—

“(A) 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

“(B) such Consumer Price Index for the 12-month period preceding the 12-month period described in subparagraph (A).

“(d) ESTIMATES.—(1) From time to time, the Secretary shall make an estimate of—

“(A) the amount of funding that would be necessary to provide supplemental plot allowance payments under this section to all eligible recipients for the remainder of the fiscal year in which such an estimate is made; and

“(B) the amount that Congress would need to appropriate to provide all eligible recipients

with supplemental plot allowance payments under this section in the next fiscal year.

“(2) On the dates described in paragraph (3), the Secretary shall submit to the appropriate committees of Congress the estimates described in paragraph (1).

“(3) The dates described in this paragraph are the following:

“(A) April 1 of each year.

“(B) July 1 of each year.

“(C) September 1 of each year.

“(D) The date that is 60 days before the date estimated by the Secretary on which amounts appropriated for the purposes of this section for a fiscal year will be exhausted.

“(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘appropriate committees of Congress’ means—

“(1) the Committee on Appropriations and the Committee on Veterans’ Affairs of the Senate; and

“(2) the Committee on Appropriations and the Committee on Veterans’ Affairs of the House of Representatives.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 2303 the following new item:

“2303A. Supplemental plot allowance.”

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2007, and shall apply with respect to deaths occurring on or after that date.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Veterans Affairs such sums as may be necessary to carry out the provisions of section 2303A of title 38, United States Code (as added by subsection (a)).

TITLE VIII—OTHER MATTERS

SEC. 801. ELIGIBILITY OF DISABLED VETERANS AND MEMBERS OF THE ARMED FORCES WITH SEVERE BURN INJURIES FOR AUTOMOBILES AND ADAPTIVE EQUIPMENT.

(a) ELIGIBILITY.—Paragraph (1) of section 3901 is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking “or (iii) below” and inserting “(iii), or (iv)”; and

(B) by adding at the end the following new clause:

“(iv) A severe burn injury (as determined pursuant to regulations prescribed by the Secretary).”; and

(2) in subparagraph (B), by striking “or (iii)” and inserting “(iii), or (iv)”.

(b) STYLISTIC AMENDMENTS.—Such section is further amended—

(1) in the matter preceding paragraph (1), by striking “chapter—” and inserting “chapter.”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “means—” and inserting “means the following.”;

(B) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking “any veteran” and inserting “Any veteran”;

(ii) in clauses (i) and (ii), by striking the semicolon at the end and inserting a period; and

(iii) in clause (iii), by striking “or” and inserting a period; and

(C) in subparagraph (B), by striking “any member” and inserting “Any member”.

SEC. 802. SUPPLEMENTAL ASSISTANCE FOR PROVIDING AUTOMOBILES OR OTHER CONVEYANCES TO CERTAIN DISABLED VETERANS.

(a) IN GENERAL.—Chapter 39 is amended by inserting after section 3902 the following new section:

“§3902A. Supplemental assistance for providing automobiles or other conveyances

“(a) IN GENERAL.—(1) Subject to the availability of funds specifically provided for pur-

poses of this subsection in advance in an appropriations Act, whenever the Secretary makes a payment for the purchase of an automobile or other conveyance for an eligible person under section 3902 of this title, the Secretary is also authorized and directed to pay the recipient of such payment a supplemental payment under this section for the cost of such purchase.

“(2) No supplemental payment shall be made under this subsection if the Secretary has expended all funds that were specifically provided for purposes of this subsection in an appropriations Act.

“(b) AMOUNT OF SUPPLEMENTAL PAYMENT.—Supplemental payment required by subsection (a) is equal to the excess of—

“(1) the payment which would be determined under section 3902 of this title if the amount described in section 3902 of this title were increased to the adjusted amount described in subsection (c), over

“(2) the payment determined under section 3902 of this title without regard to this section.

“(c) ADJUSTED AMOUNT.—The adjusted amount is \$22,484 (as adjusted from time to time under subsection (d)).

“(d) ADJUSTMENT.—(1) Effective on October 1 of each year (beginning in 2008), the Secretary shall increase the adjusted amount described in subsection (c) to an amount equal to 80 percent of the average retail cost of new automobiles for the preceding calendar year.

“(2) The Secretary shall establish the method for determining the average retail cost of new automobiles for purposes of this subsection. The Secretary may use data developed in the private sector if the Secretary determines the data is appropriate for purposes of this subsection.

“(e) ESTIMATES.—(1) From time to time, the Secretary shall make an estimate of—

“(A) the amount of funding that would be necessary to provide supplemental payment under this section for every eligible person for the remainder of the fiscal year in which such an estimate is made; and

“(B) the amount that Congress would need to appropriate to provide every eligible person with supplemental payment under this section in the next fiscal year.

“(2) On the dates described in paragraph (3), the Secretary shall submit to the appropriate committees of Congress the estimates described in paragraph (1).

“(3) The dates described in this paragraph are the following:

“(A) April 1 of each year.

“(B) July 1 of each year.

“(C) September 1 of each year.

“(D) The date that is 60 days before the date estimated by the Secretary on which amounts appropriated for the purposes of this section for a fiscal year will be exhausted.

“(f) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘appropriate committees of Congress’ means—

“(1) the Committee on Appropriations and the Committee on Veterans’ Affairs of the Senate; and

“(2) the Committee on Appropriations and the Committee on Veterans’ Affairs of the House of Representatives.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 3902 the following new item:

“3902A. Supplemental assistance for providing automobiles or other conveyances.”

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Veterans Affairs such sums as may be necessary to carry out the provisions of section 3902A of title 38, United States Code (as added by subsection (a)).

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2007, and shall apply with respect to payments

made in accordance with section 3902 of title 38, United States Code, on or after that date.

SEC. 803. CLARIFICATION OF PURPOSE OF THE OUTREACH SERVICES PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) CLARIFICATION OF INCLUSION OF MEMBERS OF THE NATIONAL GUARD AND RESERVE IN PROGRAM.—Subsection (a)(1) of section 6301 is amended by inserting “, or from the National Guard or Reserve,” after “active military, naval, or air service”.

(b) DEFINITION OF OUTREACH.—Subsection (b) of such section is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(2) by inserting before paragraph (2) the following new paragraph (1):

“(1) the term ‘outreach’ means the act or process of reaching out in a systematic manner to proactively provide information, services, and benefits counseling to veterans, and to the spouses, children, and parents of veterans who may be eligible to receive benefits under the laws administered by the Secretary, to ensure that such individuals are fully informed about, and assisted in applying for, any benefits and programs under such laws.”

SEC. 804. TERMINATION OR SUSPENSION OF CONTRACTS FOR CELLULAR TELEPHONE SERVICE FOR SERVICEMEMBERS UNDERGOING DEPLOYMENT OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—Title III of the Servicemembers Civil Relief Act (50 U.S.C. App. 531 et seq.) is amended by inserting after section 305 the following new section:

“SEC. 305A. TERMINATION OR SUSPENSION OF CONTRACTS FOR CELLULAR TELEPHONE SERVICE.

“(a) IN GENERAL.—A servicemember who receives orders to deploy outside of the continental United States for not less than 90 days may request the termination or suspension of any contract for cellular telephone service entered into by the servicemember before that date if the servicemember’s ability to satisfy the contract or to utilize the service will be materially affected by that period of deployment. The request shall include a copy of the servicemember’s military orders.

“(b) RELIEF.—Upon receiving the request of a servicemember under subsection (a), the cellular telephone service contractor concerned shall, at the election of the contractor—

“(1) grant the requested relief without imposition of an early termination fee for termination of the contract or a reactivation fee for suspension of the contract; or

“(2) permit the servicemember to suspend the contract at no charge until the end of the deployment without requiring, whether as a condition of suspension or otherwise, that the contract be extended.”

(b) CLERICAL AMENDMENT.—The table of contents for that Act is amended by inserting after the item relating to section 305 the following new item:

“Sec. 305A. Termination or suspension of contracts for cellular telephone service.”

SEC. 805. MAINTENANCE, MANAGEMENT, AND AVAILABILITY FOR RESEARCH OF ASSETS OF AIR FORCE HEALTH STUDY.

(a) PURPOSE.—The purpose of this section is to ensure that the assets transferred to the Medical Follow-Up Agency from the Air Force Health Study are maintained, managed, and made available as a resource for future research for the benefit of veterans and their families, and for other humanitarian purposes.

(b) ASSETS FROM AIR FORCE HEALTH STUDY.—For purposes of this section, the assets transferred to the Medical Follow-Up Agency from the Air Force Health Study are the assets of the Air Force Health Study transferred to the Medical Follow-Up Agency under section 714 of the John Warner National Defense Authorization

Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2290), including electronic data files and biological specimens on all participants in the study (including control subjects).

(c) **MAINTENANCE AND MANAGEMENT OF TRANSFERRED ASSETS.**—The Medical Follow-Up Agency shall maintain and manage the assets transferred to the Agency from the Air Force Health Study.

(d) **ADDITIONAL NEAR-TERM RESEARCH.**—

(1) **IN GENERAL.**—The Medical Follow-Up Agency may, during the period beginning on October 1, 2007, and ending on September 30, 2011, conduct such additional research on the assets transferred to the Agency from the Air Force Health Study as the Agency considers appropriate toward the goal of understanding the determinants of health, and promoting wellness, in veterans.

(2) **RESEARCH.**—In carrying out research authorized by this subsection, the Medical Follow-Up Agency may, utilizing amounts available under subsection (f)(1)(B), make grants for such pilot studies for or in connection with such research as the Agency considers appropriate.

(e) **ADDITIONAL MEDIUM-TERM RESEARCH.**—

(1) **REPORT.**—Not later than March 31, 2011, the Medical Follow-Up Agency shall submit to Congress a report assessing the feasibility and advisability of conducting additional research on the assets transferred to the Agency from the Air Force Health Study after September 30, 2011.

(2) **DISPOSITION OF ASSETS.**—If the report required by paragraph (1) includes an assessment that the research described in that paragraph would be feasible and advisable, the Agency shall, utilizing amounts available under subsection (f)(2), make any disposition of the assets transferred to the Agency from the Air Force Health Study as the Agency considers appropriate in preparation for such research.

(f) **FUNDING.**—

(1) **IN GENERAL.**—From amounts available for each of fiscal years 2008 through 2011 for the Department of Veterans Affairs for Medical and Prosthetic Research, amounts shall be available as follows:

(A) \$1,200,000 shall be available in each such fiscal year for maintenance, management, and operation (including maintenance of biological specimens) of the assets transferred to the Medical Follow-Up Agency from the Air Force Health Study.

(B) \$250,000 shall be available in each such fiscal year for the conduct of additional research authorized by subsection (d), including the funding of pilot studies authorized by paragraph (2) of that subsection.

(2) **MEDIUM-TERM RESEARCH.**—From amounts available for fiscal year 2011 for the Department of Veterans Affairs for Medical and Prosthetic Research, \$200,000 shall be available for the preparation of the report required by subsection (e)(1) and for the disposition, if any, of assets authorized by subsection (e)(2).

SEC. 806. NATIONAL ACADEMIES STUDY ON RISK OF DEVELOPING MULTIPLE SCLEROSIS AS A RESULT OF CERTAIN SERVICE IN THE PERSIAN GULF WAR AND POST 9/11 GLOBAL OPERATIONS THEATERS.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs shall enter into a contract with the Institute of Medicine of the National Academies to conduct a comprehensive epidemiological study for purposes of identifying any increased risk of developing multiple sclerosis as a result of service in the Armed Forces during the Persian Gulf War in the Southwest Asia theater of operations or in the Post 9/11 Global Operations theaters.

(b) **ELEMENTS.**—In conducting the study required under subsection (a), the Institute of Medicine shall do the following:

(1) Determine whether service in the Armed Forces during the Persian Gulf War in the Southwest Asia theater of operations, or in the Post 9/11 Global Operations theaters, increased the risk of developing multiple sclerosis.

(2) Identify the incidence and prevalence of diagnosed neurological diseases, including multiple sclerosis, Parkinson's disease, amyotrophic lateral sclerosis, and brain cancers, as well as central nervous system abnormalities that are difficult to precisely diagnose, in each group as follows:

(A) Members of the Armed Forces who served during the Persian Gulf War in the Southwest Asia theater of operations.

(B) Members of the Armed Forces who served in the Post 9/11 Global Operations theaters.

(C) A non-deployed comparison group for those who served in the Persian Gulf War in the Southwest Asia theater of operations and the Post 9/11 Global Operations theaters.

(3) Compare the incidence and prevalence of the named diagnosed neurological diseases and undiagnosed central nervous system abnormalities among veterans who served during the Persian Gulf War in the Southwest Asia theater of operations, or in the Post 9/11 Global Operations theaters, in various locations during such periods, as determined by the Institute of Medicine.

(4) Collect information on risk factors, such as pesticide and other toxic exposures, to which veterans were exposed while serving during the Persian Gulf War in the Southwest Asia theater of operations or the Post 9/11 Global Operations theaters, or thereafter.

(c) **REPORTS.**—

(1) **INTERIM REPORT.**—The contract required by subsection (a) shall require the Institute of Medicine to submit to the Secretary, and to appropriate committees of Congress, interim progress reports on the study required under subsection (a). Such reports shall not be required to include a description of interim results on the work under the study.

(2) **FINAL REPORT.**—The contract shall require the Institute of Medicine to submit to the Secretary, and to appropriate committees of Congress, a final report on the study by not later than December 31, 2010. The final report shall include such recommendations for legislative or administrative action as the Institute considers appropriate in light of the results of the study.

(d) **FUNDING.**—The Secretary shall provide the Institute of Medicine with such funds as are necessary to ensure the timely completion of the study required under subsection (a).

(e) **DEFINITIONS.**—In this section:

(1) The term "appropriate committees of Congress" means—

(A) the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Veterans' Affairs of the House of Representatives.

(2) The term "Persian Gulf War" has the meaning given that term in section 101(33) of title 38, United States Code.

(3) The term "Post 9/11 Global Operations theaters" means Afghanistan, Iraq, or any other theater in which the Global War on Terrorism Expeditionary Medal is awarded for service.

SEC. 807. COMPTROLLER GENERAL REPORT ON ADEQUACY OF DEPENDENCY AND INDEMNITY COMPENSATION TO MAINTAIN SURVIVORS OF VETERANS WHO DIE FROM SERVICE-CONNECTED DISABILITIES.

(a) **REPORT REQUIRED.**—Not later than 10 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Veterans' Affairs and Appropriations of the Senate and the Committees on Veterans' Affairs and Appropriations of the House of Representatives a report on the adequacy of dependency and indemnity compensation payable under chapter 13 of title 38, United States Code, to surviving spouses and dependents of veterans who die as a result of a service-connected disability in replacing the deceased veteran's income.

(b) **ELEMENTS.**—The report required by subsection (a) shall include—

(1) a description of the current system for the payment of dependency and indemnity com-

ensation to surviving spouses and dependents described in subsection (a), including a statement of the rates of such compensation so payable;

(2) an assessment of the adequacy of such payments in replacing the deceased veteran's income; and

(3) such recommendations as the Comptroller General considers appropriate in order to improve or enhance the effects of such payments in replacing the deceased veteran's income.

Amend the title so as to read: "To amend title 38, United States Code, to enhance veterans' insurance and housing benefits, to improve benefits and services for transitioning servicemembers, and for other purposes."

The PRESIDING OFFICER. The majority leader is recognized.

UNANIMOUS-CONSENT AGREEMENT—H.R. 493

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 125, H.R. 493, the Genetic Nondiscrimination Act, on tomorrow, Thursday, April 24, and that when the bill is considered, the only amendment in order be a substitute amendment offered by Senators SNOWE, KENNEDY, and ENZI; that there be a total of 2 hours for debate on the bill and substitute amendment, with the time equally divided and controlled between the leaders or their designees; that upon the use or yielding back of all time, the substitute amendment be agreed to, the bill, as amended, be read a third time, and the Senate proceed to vote on passage of the bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Madam President, it has taken a long time to get where we are now. I express my appreciation to Senator KENNEDY and Senator ENZI and others who worked very hard on this. We have said it before, but you can't say it enough: Senator KENNEDY and Senator ENZI have different political philosophies, but there are no two Senators who work better together on the committee than they do. They always act as gentlemen. They work very hard. But for their good work, we would not be where we are on this issue. I extend my appreciation to them and others who worked hard, but especially those two fine Senators.

VETERANS' BENEFITS ENHANCEMENT ACT—Continued

Mr. REID. Madam President, I ask unanimous consent that when the Senate begins consideration of S. 1315 today, the Burr amendment relating to a striking provision be the only amendment in order, other than the committee-reported substitute, the title amendment, and a managers' technical amendment that has been cleared by the managers and leaders; that there be a time limit of 60 minutes for debate with respect to the Burr amendment on tomorrow, Thursday, with the time equally divided and controlled in the